

Henry Kirk Williams, jr.
Joseph Vincent de Paul Dillon.
Harold Todd Turnbull.
John Elmer Referson.

INFANTRY.

To be colonels.

Samuel Dickerson Rockenbach.
Frank Parker.
Thomas Horace Slavens.

To be lieutenant colonels.

Willey Howell.
John Royden Kelly.

To be majors.

Hugh Screven Brown.
Louis Thomas Byrne.
William Henry Jones, jr.

To be captains.

Thomas Dewees Finley.
Alexander LeRoy Podwinetz Johnson.
Harold Lancelot Finley.
Chapman Grant.
James Hunter.

To be first lieutenants.

George David Condren.
Donald Armppriester Stroh.
John Cary Howard.
Donald Coray.
James Taylor.
Franklin Abraham Green.
Charles Henry Hagelstein.
John Leonard Whitelaw.
Henry Baldwin Nichols.
Donald Brooks Hilton.
William Aylett Callaway.

To be second lieutenant.

Edward Jenkins.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 2, 1921.

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Heavenly Father, we thank Thee for this day. Direct us in the pathway of truth, and may our lives be inspired by Thy wisdom. Comfort the home that mourns and lift the burden of the heavy laden and light the candle of Thy presence on the altar of that stricken fireside. Abide with the stricken one in the measure of a great strength, a sweet peace, and a beautiful resignation. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

RECESS, 6 TO 8 P. M.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 until 8 p. m.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, when the House had up for consideration Saturday last the Agricultural appropriation bill the House asked for a conference with the Senate on certain disagreeing votes between the two Houses. The Senate did not agree to House amendments Nos. 115 and 116, and asked for a further conference upon those amendments. This fact was not called to my attention yesterday; and the House conferees, on the theory that those amendments were in conference due to the request of the House on the agreement of the Senate for a conference, proceeded to confer upon those matters. In order that any question may be obviated in the matter, I ask unanimous consent that the House agree to the conference asked by the Senate on amendments Nos. 115 and 116 as of yesterday.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the House agree to the conference asked by the Senate as stated. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the bill of the following title:

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic for the year 1921, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The Senate having proceeded to reconsider the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77), returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was—

Resolved, That the bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; and

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as Jackson Barracks;

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes";

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW. in the District of Columbia;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River; and

S. 4554. An act to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1921.

CONFERENCE REPORT, ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I call up the conference report on the Army appropriation bill.

The SPEAKER. The Clerk will read the report.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have

agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 14, 17, 24, 25, 32, 33, 39, 40, 41, 45, 52, 55, 58, 60, 66, 67, 68, 73, 79, 80, 83, 87, 91, 97, 100, 101, 107, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 9, 13, 15, 16, 19, 21, 26, 28, 29, 30, 31, 33, 42, 46, 47, 49, 50, 51, 59, 62, 63, 69, 72, 74, 75, 81, 82, 85, 86, 98, 99, 102, 103, 108, 110, 111, and 112, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "\$40,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$185,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the matter proposed by the Senate and insert in lieu thereof the following: "Provided, That not to exceed \$600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed \$450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed \$1,000,000 may be expended for signal equipment for organizations; not to exceed \$7,500 may be expended for pigeon service; not to exceed \$100,000 may be expended for photographic and cinematographic service; and not to exceed \$100,000 may be expended for the operation and maintenance of Camp Alfred Vail"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert: "with the form of discharge certificate to which the service of each, after enlistment, shall entitle him"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "\$3,500,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$28,000,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "\$27,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment insert the following: "Provided, That from this appropriation not to exceed \$1,750,000 shall be expended for the pay of civilian employees; not to exceed \$1,750,000 shall be expended for power, heat, and electric current, of which not exceeding \$42,300 may be used for improvement of electric power supply system at Governors Island, N. Y.; not to exceed \$100,000 shall be expended for maintenance and repair of buildings (including repair of machinery) for laundries; not to exceed \$300,000 shall be expended for the maintenance and repair of heating apparatus (other than stoves); not to exceed \$200,000 for maintenance and repair of electric wiring and fixtures; not to exceed \$10,000 for the repair and exchange of typewriters; not to exceed \$4,000,000 for the operation of laundries; not to exceed \$6,500,000 for fuel; not to exceed \$8,500,000 for forage, including salt and vinegar and bedding for animals, and straw for soldiers' bedding; not to exceed \$405,000 for ice; and not to exceed \$600,000 shall be expended for stationery: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 10,000 of such animals shall be sold"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "\$7,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*Provided*, That from this appropriation not exceeding \$3,000,000 shall be expended for the hire of labor; not exceeding \$3,500,000 shall be expended for the pay of civilian employees other than laborers; not exceeding \$75,000 shall be expended for telegrams, cablegrams, and postage; and not exceeding \$25,000 shall be expended for experimental and development work."

And the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "roads," insert "not less than one-half by sale"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate, insert "\$150,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate insert "\$200,100"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "\$225,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "\$1,500,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, restore the matter stricken out, and in the matter so restored strike out "\$50,000" and insert "\$100,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "\$35,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "\$25,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "\$425,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,300,000"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$225,000"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$85,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$175,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "\$9,750,000: *Provided*, That 20 per cent of the foregoing amounts for arming, equipping, and training the National Guard shall be available interchangeably for expenditure for the purposes named, but not more than 20 per cent shall be added to the amount appropriated for any one of such purposes"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,500,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,906,404.80"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 10, 12, 18, 22, 23, 34, 53, 54, 70, 71, 84, 104, 105, 106, and 113.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,

Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH MCKELLAR,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Authorizes the use of \$40,000 of the appropriation for contingencies of the Army, instead of \$25,000 as proposed by the House and \$50,000 as proposed by the Senate, for civilian employees in connection with the sale of war supplies and the adjustment of contracts and claims.

On Nos. 2, 3, and 4: Reduces from \$25,000 to \$22,000, as proposed by the Senate, the appropriation for the General Staff College, and strikes out the language in the item providing for fuel for heating.

On Nos. 5 and 6, relating to contingencies, Military Intelligence Division: Appropriates \$185,000, instead of \$100,000 as proposed by the House and \$300,000 as proposed by the Senate, and inserts authority for the hire of interpreters, special agents, and guides, as proposed by the Senate.

On Nos. 7 and 8, relating to the Signal Service: Provides for experimentation and research and development work in the language proposed by the Senate instead of in the language proposed by the House; and inserts a substitute for the itemization of the amount provided by the House.

On No. 9: Increases from \$140,000 to \$165,000 the appropriation for the Washington-Alaska military cable.

On No. 11: Restores the authority for the payment of \$1,079.02 to Frank D. Kohn.

On No. 13: Increases from \$42,000,000 to \$46,000,000, as proposed by the Senate, the amount for pay of officers of the line and staff.

On Nos. 14 and 15: Strikes out the increase of \$500,000, proposed by the Senate, for pay of officers of the Officers' Reserve Corps; and modifies the language, inserted by the House, so

that certain officers may be on active duty for a longer period than 15 days.

On No. 16: Increases from \$1,346,000 to \$1,413,000, as proposed by the Senate, the appropriation for pay of warrant officers; and strikes out the restriction limiting the fund to the pay of 1,000 such officers.

On No. 17: Restores the restrictions, stricken out by the Senate, on the appropriation for aviation increase to officers of the Air Service.

On Nos. 19, 20, and 21, relating to the discharge of enlisted men under 18 years of age: Inserts substitute language for the matter proposed by the Senate, providing for the discharge of such men with pay and transportation and with the form of discharge certificate to which the service of each man, after enlistment, shall entitle him.

On Nos. 24 and 25: Strikes out the increase of \$150,000, proposed by the Senate, in the appropriation for aviation increase to enlisted men of the Air Service; and provides, as proposed by the House, that the sum shall not be used for the pay of more than 500 men on flying status.

On No. 26: Reduces from \$1,100,000 to \$1,046,000, as proposed by the Senate, the appropriation for pay of enlisted men of the Philippine Scouts.

On No. 27: Appropriates \$3,500,000 instead of \$3,000,000, as proposed by the House and \$4,500,000 as proposed by the Senate, for additional pay for length of service to enlisted men.

On No. 28: Increases from \$4,500,000 to \$5,000,000 the appropriation for pay of officers on the retired list, as proposed by the Senate.

On Nos. 29 and 30: Makes the appropriation for clerical services at headquarters, etc., available for corps areas, and corrects the total of the item.

On No. 31: Reduces from \$200,000 to \$198,000, as proposed by the Senate, the appropriation for commutation of quarters and of heat and light.

On No. 32: Strikes out the increase of \$500, proposed by the Senate, in the pay of the expert accountant in the Inspector General's Department.

On No. 33: Strikes out the language, proposed by the Senate, making the appropriation for pay of the Army for 1921 available for pay of members of the Reserve Officers' Training Corps.

On No. 35: Appropriates \$28,000,000 instead of \$27,500,000, as proposed by the House and \$30,000,000 as proposed by the Senate, for subsistence.

On Nos. 36 and 37: Appropriates \$27,000,000 instead of \$26,108,430, as proposed by the House, and \$28,000,000, as proposed by the Senate, for regular supplies of the Quartermaster Corps; inserts a substitute of itemization of this amount in lieu of the itemization proposed by the House; and provides for the sale of 10,000 animals instead of 20,000, as proposed by the House.

On Nos. 38 to 41, inclusive, relating to the authorization for contracts for fuel: Provides that such contracts shall be authorized by the Secretary of War, as proposed by the Senate, instead of by the Quartermaster General, as proposed by the House, and strikes out the language, proposed by the Senate, extending the authority to forage, subsistence, and clothing.

On Nos. 42, 43, and 44, relating to incidental expenses of the Quartermaster Corps: Strikes out authority for hire of interpreters, spies, and guides, as proposed by the Senate; appropriates \$7,000,000 instead of \$6,946,087, as proposed by the House, and \$7,500,000, as proposed by the Senate; and inserts a substitute paragraph of itemization of this amount in lieu of the itemization proposed by the House.

On Nos. 45 to 48, inclusive, relating to transportation of the Army: Restores the paragraph of itemization of the appropriation and provides for the sale or transfer of motor trucks and automobiles in the manner proposed by the Senate, modified so as to provide that not less than one-half of the number to be disposed of shall be sold.

On Nos. 49 to 52, inclusive, relating to clothing, and camp and garrison equipage: Provides for the payment of commutation of clothing to warrant officers of the mine-planter service, as proposed by the Senate, and strikes out the increase of \$1,000,000 proposed by the Senate.

On No. 55: Strikes out the paragraph, proposed by the Senate, consolidating certain items of appropriation for the Quartermaster Corps into one fund known as "General expenses, Quartermaster Corps."

On Nos. 56 and 57: Appropriates \$150,000 instead of \$100,000, as proposed by the House, and \$200,000, as proposed by the Senate, for the encouragement of breeding of riding horses for the Army.

On No. 58: Restores the language, stricken out by the Senate, prohibiting the use of the appropriation for barracks and quarters for rent of offices of military attachés.

On Nos. 59, 60, and 61, relating to military post exchanges: Appropriates \$225,000 instead of \$150,000, as proposed by the House, and \$300,000, as proposed by the Senate; strikes out the language, inserted by the Senate, directing the use of \$175,000 of the amount for maintenance of "hostess houses"; and also strikes out the language making the appropriation available for such purposes as the Secretary of War may deem advisable.

On No. 62: Provides, as proposed by the Senate, that the appropriation for roads, walks, wharves, and drainage may be available for repair of roads, walks, or wharves in connection with National Army cantonments or National Guard camps.

On No. 63: Reduces from \$188,000 to \$150,000 the appropriation for rent of buildings, Quartermaster Corps.

On Nos. 64 and 65, relating to vocational training: Appropriates \$1,500,000 instead of \$1,000,000, as proposed by the House, and \$2,500,000, as proposed by the Senate; restores the limitations, proposed by the House, modified so that \$100,000 instead of \$50,000 may be expended for salaries; and strikes out the limitation relative to salaries and instructors inserted by the Senate.

On No. 66: Strikes out the increase, proposed by the Senate, from 5 cents to 6 cents per mile in the commutation of travel expenses for members of civilian rifle teams.

On Nos. 67 to 69, inclusive, relating to quartermaster supplies, Reserve Officers' Training Corps: Strikes out the increase, proposed by the Senate, from 5 cents to 6 cents per mile in the travel allowance; strikes out, as proposed by the Senate, medical attendance and supplies for members at such camps.

On No. 72: Reduces from \$2,500,000 to \$2,000,000, as proposed by the Senate, the appropriation for the Medical and Hospital Department.

On No. 73: Strikes out the increase of \$5,000, proposed by the Senate, for the Army Medical Museum.

On No. 74: Increases from \$12,500 to \$15,000, as proposed by the Senate, the appropriation for the library of the Surgeon General's Office.

On No. 75: Reduces from \$22,000 to \$20,000, as proposed by the Senate, the appropriation for incidental expenses of engineer depots.

On No. 76: Appropriates \$35,000 instead of \$30,000, as proposed by the House, and \$40,000, as proposed by the Senate, for the Engineer School.

On No. 77: Appropriates \$25,000 instead of \$100, as proposed by the House, and \$50,000, as proposed by the Senate, for military surveys and maps.

On Nos. 78 and 79, relating to military roads, bridges, etc., in Alaska: Appropriates \$425,000 instead of \$350,000, as proposed by the House, and \$500,000, as proposed by the Senate; and restores the authority, stricken out by the Senate, for the expenditure of \$10,000 of this sum for a specific investigation and report on roads and trails.

On No. 80: Restores the decrease of \$250,000, proposed by the Senate, in the appropriation for current expenses of the ordnance service.

On No. 81: Reduces from \$750,000 to \$700,000, as proposed by the Senate, the appropriation for ordnance and ordnance stores and ammunition.

On No. 82: Reduces from \$400,000 to \$300,000, as proposed by the Senate, the appropriation for small-arms target practice.

On No. 83: Reduces from \$500,000 to \$300,000, as proposed by the Senate, the appropriation for manufacture of arms, and strikes out the language of reappropriation of the 1921 balance for use in the fiscal year 1922.

On No. 85: Reduces from \$500,000 to \$400,000, as proposed by the Senate, the appropriation for automatic machine rifles.

On No. 86: Inserts authority in the appropriation for the Chemical Warfare Service for libraries and subscriptions for periodicals.

On Nos. 87 to 95, inclusive, relating to arming, equipping, and training the National Guard: Strikes out the increase of \$250,000, proposed by the Senate, for forage and bedding for animals; appropriates \$1,300,000 instead of \$1,000,000, as proposed by the House, and \$2,000,000, as proposed by the Senate, for help for care of matériel, animals, and equipment; appropriates \$6,000,000, instead of \$5,500,000, as proposed by the House, and \$7,500,000, as proposed by the Senate, for camps of instruction; appropriates \$225,000 instead of \$200,000, as proposed by the House, and \$250,000, as proposed by the Senate, for expenses of military service schools; restores the reduction of \$130,000, proposed by the Senate, in the amount for pay and allowances of officers detailed with the Army; appropriates \$85,000 instead of

\$75,000, as proposed by the House, and \$100,000, as proposed by the Senate, for travel of Federal officers in connection with the National Guard; appropriates \$175,000 instead of \$150,000, as proposed by the House, and \$200,000, as proposed by the Senate, for transportation of equipment and supplies; appropriates \$60,000 instead of \$50,000, as proposed by the House, and \$70,000, as proposed by the Senate, for expenses of sergeant instructors; appropriates \$9,750,000 instead of \$9,500,000, as proposed by the House, and \$10,000,000, as proposed by the Senate, for pay of National Guard, and provides that 20 per cent of all the amounts may be interchangeable instead of consolidating all of such sums in one fund, as proposed by the Senate.

On Nos. 96 and 97, relating to arms, uniforms, etc., for field service of the National Guard: Appropriates \$5,500,000 instead of \$5,000,000, as proposed by the House, and \$6,000,000, as proposed by the Senate; and strikes out the authority, inserted by the Senate, for the issue of 3,500 animals to the National Guard.

On No. 98: Provides, as proposed by the Senate, for the sale of ordnance equipment in connection with rifle ranges for civilian instruction.

On Nos. 99 to 103, inclusive, relating to civilian military training camps: Provides for altering and cleaning uniforms, as proposed by the Senate; strikes out the increase from 5 to 6 cents per mile for travel allowance; strikes out the increase of \$500,000 in the appropriation; reduces the age limit for admission from 45 years to 35 years, as proposed by the Senate; and strikes out the language, proposed by the House, for the issuance of used or salvaged uniforms.

On Nos. 107 to 112, inclusive, and 114, relating to the Military Academy: Provides retirement privileges for the master of the sword; strikes out the appropriations, inserted by the Senate, for extra pay of officers of the Army on detached service at the Military Academy; and decreases the appropriations for three sergeants, as proposed by the Senate.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 10: Relating to the appropriation for the Air Service.

On No. 12: Relating to certain payments made by United States disbursing officers to the Lonoke Chamber of Commerce, Lonoke, Ark.

On No. 18: Relating to the appropriation for pay of enlisted men of the line and staff.

On No. 22: Authorizing the Secretary of War to grant applications for discharge of enlisted men.

On No. 23: Providing, in the reduction of the Army, for the maintenance of 60 per cent of the strength of the various branches of the Army as prescribed in the Army reorganization act.

On No. 34: Extending the appropriation for pay of the Army for the fiscal year 1919 to provide for the payment of pay claims growing out of service in the World War.

On No. 53: Relating to the settlement of clothing accounts of enlisted men.

On No. 54: Relating to the issuance of uniforms under the act of February 28, 1919, to discharged enlisted men.

On No. 70: Making the appropriation for quartermaster supplies for the Reserve Officers' Training Corps available until December 31, 1922.

On No. 71: Limiting to \$7,000,000 the amount of funds heretofore appropriated for inland and port storage and shipping facilities which may be expended during the fiscal year 1922.

On No. 84: Appropriating \$10,000 for national trophy and medals for rifle contests.

On No. 104: Providing for the grade of lieutenant general for two general officers.

On No. 105: Providing for the issuance of the award of the distinguished service cross or the distinguished service medal in certain cases.

On No. 106: Appropriating \$200,000 for increasing the water supply of the District of Columbia.

On No. 113: Providing for public quarters and fuel and light for two civilian instructors at the Military Academy.

D. R. ANTHONY,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,

Managers on the part of the House.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order there is no quorum present. It is clear there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House. The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Gallagher	Langley	Rodenberg
Baer	Gandy	Lee, Calif.	Rowan
Bland, Ind.	Garner	Lee, Ga.	Rubey
Britten	Garrett	Leshner	Sanders, La.
Brumbaugh	Goldfogle	Lomorgan	Schall
Buchanan	Goodwin, Ark.	McCulloch	Scully
Burke	Graham, Ill.	McFadden	Sears
Butler	Graham, Pa.	McGlennon	Sells
Caldwell	Hamill	McKinley	Small
Cantrill	Hamilton	MacGregor	Steele
Casey	Hardy, Tex.	Magee	Stephens, Miss.
Clark, Mo.	Harrell	Maher	Stines
Classon	Harrison	Mann, S. C.	Strong, Kans.
Cole	Haugen	Milligan	Sullivan
Costello	Hays	Monahan, Wis.	Thomas
Curry, Calif.	Hulings	Moon	Tincher
Denison	Hutchinson	Mooney	Tinkham
Dent	James, Mich.	Morin	Towner
Dewalt	Jeffers	Mudd	Upshaw
Donovan	Johnson, S. Dak.	Nolan	Vare
Dooling	Johnston, N. Y.	O'Connor	Venable
Doremus	Juul	Pell	Voigt
Doughton	Kahn	Phelan	Watkins
Eagle	Kendall	Rainey, Ala.	Welling
Ellsworth	Kennedy, Iowa	Rainey, John W.	Wilson, Ill.
Emerson	Kettner	Ramsey	Young, Tex.
Evans, Mont.	Kincheloe	Randall, Wis.	
Fish	Kitchin	Reavis	
Focht	Kleezka	Riddick	
Frear	Kreider	Rordan	

The SPEAKER. Two hundred and ninety Members have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. ANTHONY. Mr. Speaker, as the bill making appropriations for the support of the Army for the next fiscal year passed the House it carried a total of approximately \$331,000,000 for the support of the Army and the Military Academy. As brought back on this conference report the bill carries a total approximately of \$341,000,000 for those purposes. The House yields to the Senate on a total of approximately \$10,000,000, and the Senate yielded to the House on items approximating about \$12,000,000, and there remains in disagreement about \$10,000,000. The conferees are in entire agreement on practically all the items in the bill with the exception of two, one relating to the size of the Army, which is still in disagreement, the House standing for its appropriation to sustain 150,000 men, exclusive of the Philippine Scouts and flying cadets, and the Senate contending for an appropriation sufficient to maintain 175,000 men. The other item that is in disagreement is that providing for the appointment of two lieutenant generals in the Regular Army from among those who commanded field armies in France. We are also in technical disagreement on 13 other items which contain legislation which, of course, will be presented to the House for its approval in the regular order. We feel that the bill as it comes back to the House at this time contains provisions to further secure the House view of the way appropriations should be made for the Army. I want to call the attention of the House particularly to the amendment which provides that no officer or no enlisted man shall be maintained in the Army further than the amount of money which we appropriate in this law will pay for, and that, in my opinion, will forever put a stop to deficiencies in the pay of the Army from this time on.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. I suppose the gentleman took into consideration in connection with such an amendment the embarrassment that might arise if the administration sought to increase the Army in an emergency, without having authority from Congress to recruit the number of men so increased?

Mr. ANTHONY. We felt that Congress has been in recent years so continuously in session and would be so continuously in session in the future that it would be perfectly feasible for the Executive to apply to the Congress for any extension of such power.

Mr. GREENE of Vermont. The gentleman realizes, with his long experience on the Committee on Military Affairs, that one of the reasons why the foundation law of the Army never fixed arbitrarily the number of men to be maintained from year to year was because we sought to continue the policy that gave an elastic control to the administration in the event of an emergency, which did not make it necessary for the administration to come to Congress and in that way advertise the emer-

gency when conditions might be delicate, and thus perhaps irritate the very conditions themselves and bring on what the administration sought to avoid.

Mr. ANTHONY. But the gentleman himself well knows the abuses to which that elastic power has been subjected only just recently.

Mr. GREENE of Vermont. I do; but I also know that it is an ancient maxim that an abuse of anything is not an argument against its proper use.

Mr. ANTHONY. We thought we would provide so that the things which have happened in the last 60 days in the way of recruiting 40,000 more men in the Army than Congress intended could not happen again.

Mr. GREENE of Vermont. I quite sympathize with the gentleman in the recognition of the evils and mischief we have to contend against. I merely question the remedy. I am afraid the remedy will sometimes make us embarrassment that will prove quite as serious as the evil we are now trying to correct.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BARKLEY. If I understood the gentleman, in addition to the size of the Army and the two lieutenant generalships, there are 13 other amendments to be voted on by the House, separately.

Mr. ANTHONY. That is correct.

Mr. BARKLEY. In what order will the vote be taken?

Mr. ANTHONY. In the order in which they appear in the bill. If the gentleman will look at the printed copy of the conference report, he will see the amendments numbered at the end.

Mr. BRIGGS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. Is it true that additional provision was made by the Senate and agreed to by the conferees to the extent of \$4,000,000 for the pay of additional officers in the Army over the sum carried in the House bill?

Mr. ANTHONY. There is an increase of about that amount made in the item for the pay of officers, but it is not an addition to the number of officers. We are providing for the pay of 14,000 officers, but in the calculations made by the House we found we had not appropriated sufficient money to provide for their full pay. The condition arose in this way: The average pay of Army officers heretofore, all grades, from generals down to second lieutenants, has been \$3,055 a year in money. There are pending in the Senate now promotions for practically every officer in the regular service, and when the Senate confirms that promotion list, as it probably will, it will give every one of these men an additional rank. That will necessitate the increase to which the gentleman refers, and the amount dates from the time these nominations were sent to the Senate, some months ago.

Mr. BRIGGS. Therefore the amount carried in the bill does not seek to make provision for any additional officers.

Mr. ANTHONY. With the limitation to which I previously referred in my discussion with the gentleman from Vermont [Mr. GREENE], the number will be limited to 14,000 officers.

Mr. BRIGGS. The number was substantially that at the time the bill passed the House?

Mr. ANTHONY. That is correct.

Mr. BRIGGS. There are practically 14,000 officers now?

Mr. ANTHONY. At present there are 13,100. We did not consider the increased grades, and they have not gotten them yet, but we are advised that the Senate intends to confirm that list.

Mr. BRIGGS. I understand that the promotions are being confirmed now.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. As I understand, you have not agreed upon the size of the Army as yet?

Mr. ANTHONY. We have not.

Mr. HULL of Iowa. The House is still insisting upon an Army of 150,000 men?

Mr. ANTHONY. We intend to ask the House to further insist upon its disagreement to the Senate amendment in that respect.

Mr. HULL of Iowa. And yet you have prohibited a deficiency being created. Suppose the House insists upon the Army being 150,000, how are you going to pay the Army that is now 238,000?

Mr. ANTHONY. A sufficient number of men will have to be discharged to bring it down to fit into the amount of money that we appropriate.

Mr. HULL of Iowa. Right away.

Mr. ANTHONY. Within a reasonable time.

Mr. OLNEY. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. OLNEY. Will there be sufficient time for those Members who are in favor of the Senate amendment appropriating for an Army of 175,000 men to debate this question? Would it not be wise to fix a time? I think it is a very important item.

Mr. ANTHONY. There will be no attempt to shut off reasonable discussion.

Mr. OLNEY. I would like at least five minutes in behalf of the Senate amendment.

Mr. ANTHONY. There will be no attempt to shut off discussion of such matters as that.

Mr. JONES of Texas. Are these amendments to be taken up in order?

Mr. ANTHONY. Each one in the order in which it is written in the report.

Mr. JONES of Texas. I notice in amendment No. 22, which I suppose is the one referred to a while ago, when the gentleman spoke of provision being made for discharges, that it authorizes the Secretary of War in his discretion to grant discharges.

Mr. ANTHONY. Yes.

Mr. JONES of Texas. Inasmuch as you have amendment No. 23 following, would it not be better to have a direction to the Secretary of War to grant all discharges with that limitation of 60 per cent?

Mr. ANTHONY. No; because there is another amendment contained in the bill which provides that the Army must not be maintained larger than the amount appropriated for, so that it forces automatically the reduction of the Army.

Mr. WINGO. Will the gentleman yield there?

Mr. ANTHONY. I will yield first to my colleague, the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. I wanted to know what is the additional amount of money in the conference report in excess of the amount which was set forth for the officers because of their advance in rank.

Mr. ANTHONY. There is about \$8,000,000 increase in the report. There is also \$1,900,000 increase in the item for air service, which will be submitted to the House.

Mr. QUIN. For a vote?

Mr. ANTHONY. For a vote, because the same paragraph contains an item of legislation which calls for its submission to the House.

Mr. SNELL. If the gentleman will permit right there, I would like to ask in regard to the proposition of \$200,000 for increasing the water supply of the District of Columbia. Is there anything in the proposed plan that will interfere with the final development of the water power at Great Falls?

Mr. ANTHONY. The House conferees yielded reluctantly on that amendment, but I am thoroughly satisfied that there is nothing in the statement that the construction of a tunnel to provide additional water will interfere in the slightest with the development of power at Great Falls. In fact, I discussed that matter this morning with Secretary Baker, and he says there is nothing in that contention; and my colleague from Michigan [Mr. CRAMTON] has discussed it with Col. Kutz, the engineer commissioner, and he confirms that statement.

Mr. SNELL. I did not know but perhaps there might be something in the report.

Mr. ANTHONY. Both Secretary Baker and Col. Kutz say it will not interfere.

Mr. MOORE of Virginia. If I may be permitted, a consideration of the facts will show that there is not the slightest ground for believing that the two plans are in any way associated so that the water-power scheme would be interfered with if this is done.

Mr. SNELL. I could not understand how it could be.

Mr. MOORE of Virginia. It is an impossible proposition.

Mr. TILSON. I have heard it suggested that as a matter of economy the tunnel be not built but that the dam be built at once down at Chain Bridge, where sufficient power can be developed to pump the water instead of having it come down by gravity through the tunnel; and that this plan would be some \$5,000,000 cheaper for an additional water supply, besides furnishing a very large amount of power. Has this suggestion been made to any committee of Congress?

Mr. ANTHONY. I can not say.

Mr. MANN of Illinois. Mr. Speaker, I suggest that that question is not now before the House.

Mr. TILSON. It was being discussed, and I thought it was before the House.

Mr. MONDELL. Will the gentleman yield? Would it not please the gentleman in charge of the bill better if gentlemen would withhold their inquiries with regard to the questions not

in controversy in the conference report until the conference report is disposed of, and then take up the other questions?

Mr. WINGO. If the gentleman will permit, the trouble with that is that the gentleman from Wyoming [Mr. MONDELL] suggests that we withhold inquiries in reference to matters in agreement.

Mr. MONDELL. With regard to matters that will be voted upon by the House later.

Mr. ANTHONY. This matter will have a separate presentation in the House.

Mr. MONDELL. There are certain matters in the conference report that ought to be disposed of at this time.

Mr. WINGO. Now, take amendments 19, 20, and 21, that cover the case of discharges. Let me see if I understand what the action is. If I understand it, the House has receded from its disagreement to amendments 19 and 21, and receded from amendment No. 20 and concurred with an amendment, so that the language would read—see if I have the correct language:

The Secretary shall discharge from the military service with pay and travel allowances—

Mr. ANTHONY. Will the gentleman yield?

Mr. WINGO. I would like you to state the language as it would be.

Mr. ANTHONY. Let me say to the gentleman that we thought the Senate had perhaps erred in making three amendments of that item. That should have been covered in one amendment.

Mr. WINGO. That is true.

Mr. ANTHONY. We have been forced to carry that in three, because the third one has new matter in it; but from the way we have perfected the paragraph it will read like this:

The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him, all enlisted men under the age of 18 on the application of either of their parents or legal guardian, and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home, if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment.

Mr. WINGO. Now, the gentleman has read the language that has been agreed to?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. You cut out the words "honorably discharged"?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. But you provide that they shall be given such a discharge as his service after enlistment warrants?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. Does that mean that the fact that he has misstated his age in making his enlistment shall not be used against him?

Mr. ANTHONY. It means that we provide here for a waiver of any violation of military regulations that the young man may have incurred when he made the false statement in regard to his age at the time of enlistment. We take his record after enlistment.

Mr. WINGO. He gets an honorable discharge, notwithstanding the misstatement he has made before his enlistment?

Mr. ANTHONY. Yes.

Mr. WINGO. In other words, you propose to eliminate the misstatement as to age on the record as to whether or not he is entitled to an honorable discharge?

Mr. ANTHONY. Yes. The conferees have tried to meet the sentiment of the House in this paragraph.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MAPES. I agree with the gentleman that these amendments should be taken up in the order in which they come in the report, but inasmuch as certain statements have already been made in regard to amendment No. 106 in relation to the water supply from Great Falls it seems to me this further statement ought to be made at this time: Certain Members here have said that this would not in any way interfere with the development of the Great Falls water power. I do not know what means of information they have on that point, but the gentleman knows that eminent engineers do not agree on that point, and that there is a difference of opinion in regard to it on the part of engineers who have looked into the matter.

Mr. ANTHONY. I will be glad to state it to the gentleman.

Mr. MAPES. Yes. I wanted to make that statement, in view of what has already been said.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Is the gentleman willing to allow a vote on the question of the administration being able to create a deficiency?

Mr. ANTHONY. That is not in the conference report.

Mr. HULL of Iowa. You realize that you have destroyed the Army reorganization bill, do you not?

Mr. ANTHONY. I realize that we have put safeguards around it.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. Can you indicate the language in which can be found this limitation on the size of the Army by making it impossible to bring in a deficiency bill?

Mr. ANTHONY. That will come up in its regular order for discussion. It is not included in the conference report.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. ANTHONY. Yes.

Mr. MANN of Illinois. In reference to amendment No. 20, in relation to these discharges, it strikes out the words "traveling allowances" and inserts "transportation in kind to the railroad station at or nearest to the place of acceptance for enlistment." The conferees agree to the Senate amendment with an amendment striking out the language inserted by the Senate and inserting in lieu thereof this language: "With the form of discharge certificate to which the service of each, after enlistment, shall entitle him," and this is the way it will read: "The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him." Now is it the intention to cut out entirely the matter of transportation?

Mr. ANTHONY. No; we provide that he shall be allowed transportation.

Mr. MANN of Illinois. Where?

Mr. ANTHONY. On amendment 22 we offer this additional language: "And the Secretary of War is authorized."

Mr. MANN of Illinois. It is not one of the amendments you have agreed to?

Mr. ANTHONY. No; it is not.

Mr. MANN of Illinois. I beg the gentleman's pardon.

Mr. ANTHONY. We agreed to the first two, but could not agree to 21.

Mr. MANN of Illinois. I did not so understand.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Kansas moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 10: Page 14 of the printed bill, after the word "craft," in line 2, strike out the remainder of the line and all of lines 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, down to and including "\$250,000," on line 13, and insert "\$23,000,000: *Provided*, That not to exceed \$4,000,000 from this appropriation may be expended for pay and expenses of civilian employees; and not exceeding \$400,000 may be expended for experimentation, conservation, and production of helium: *Provided further*, That not less than \$5,000,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than \$7,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding \$250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of \$10,000: *Provided further*."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment No. 10: Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by the Senate insert the following: "\$21,100,000: *Provided*, That not to exceed \$4,000,000 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$250,000 may be expended for experimentation, conservation, and production of helium; not exceeding \$4,300,000 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding \$500,000 may be expended for the production of lighter-than-air equipment; and not exceeding \$350,000 may be expended for improvement of stations, hangars, and gas plants: *Provided further*, That not less than \$5,500,000 shall be expended for

the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding \$250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of \$10,000."

Mr. ANTHONY. Mr. Speaker, we had to bring this item for appropriations for the Air Service back to the House in order to reinstate the language as to the payment of claims for damage not to exceed \$250. That language had been carried for several years, but it was stricken out on a point of order. The Senate erroneously attached it to the appropriation paragraph, so that we had to bring the whole paragraph back to the House in this shape.

Mr. HICKS. Will the gentleman permit a question?

Mr. ANTHONY. I yield to the gentleman from New York.

Mr. HICKS. I notice in the amendment that the amount called for for new airplane equipment is \$5,500,000, which is a million and a half more than the House provided a few days ago.

Mr. ANTHONY. Correct.

Mr. HICKS. Can the gentleman explain the necessity for that increase over what the House decided was proper?

Mr. ANTHONY. The Senate demanded \$7,000,000 for new production and we yielded a million and a half.

Mr. HICKS. Did they specify what that equipment would consist of?

Mr. ANTHONY. Yes. We went into the types in conference. It is to equip the Army with complete new types of planes; most largely of pursuit and bombing and attack types.

Mr. HICKS. Are some of them these foreign planes that we have seen spoken of in the paper—the Caproni, and German all-metal?

Mr. ANTHONY. No; none of them.

Mr. HICKS. Is it all for domestic production?

Mr. ANTHONY. We hope it will go into the type of all-metal planes. We have procured a number from Germany, of the all-metal planes. At the Dayton plant the air service are flying every day, many hours a day, one of these German all-metal planes, to determine how long it can stay in the air without crystallization. We want to ascertain what the life of the all-metal plane is before we go into the production of them.

Mr. HICKS. As I caught the reading of the amendment I understand that this \$5,500,000 is to be exclusively for heavier-than-air equipment. Where do you take care of the lighter-than-air equipment?

Mr. ANTHONY. Five hundred thousand dollars of it is for lighter than air. We limit them to not exceed that amount.

Mr. HICKS. Is that mentioned in the amendment?

Mr. ANTHONY. I think it is.

Mr. HICKS. I did not catch that in the reading of the amendment.

Mr. ANTHONY. They wanted to expend a vastly larger sum for lighter-than-air machines, but we limited them to \$500,000.

Mr. HICKS. I am very glad you did.

Mr. FESS. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Ohio.

Mr. FESS. The Senate provision fixed a minimum below which they can not go for experimentation. I understand that the House has fixed a maximum above which they can not go.

Mr. ANTHONY. We provide a minimum. We want to compel them to expend that amount of money for production.

Mr. FESS. I mean for experimentation. You have fixed a maximum above which they can not go.

Mr. ANTHONY. Yes.

Mr. FESS. Is it not very unusual to say to them, "You shall not expend less than a certain amount"?

Mr. ANTHONY. It is for the reason that we have been trying to get the Air Service to build modern machines. The appropriations made in the Army appropriation bill for the last two years for new production have not all been expended. Only in the last month or two contracts have been let covering many millions of dollars that we have appropriated. The Army all the time has been crying that it has not got up-to-date machines, when the money that Congress appropriated has not been expended. They have been waiting until they could agree on the right type. This year they think they have got the type, and contracts have been let within the last month or two for almost the totals of the appropriations we have made for the last two years. We want to make them spend that money and get these up-to-date planes, so our Army will have the latest thing in the air.

Mr. FESS. The task that has been imposed on Congress is not that we must expend so much money, but that there must

be a minimum expenditure of money. After rereading the amendment I note that the amount provided for in this particular item is not increased, but you simply provide that a certain proportion of it shall be spent for this particular purpose.

Mr. ANTHONY. That is true.

Mr. FESS. And it does not increase the sum total.

Mr. ANTHONY. We itemized this appropriation and put the limitations on the expenditure for fear if we left it in a lump sum it would be expended for purposes from which the Army would not get any real benefit.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. NEWTON of Minnesota. Is the type of metal plane that is now being experimented with at the Dayton field the all-metal monoplane?

Mr. ANTHONY. I think it is. It is the German type of plane.

Mr. NEWTON of Minnesota. Is it the Junker plane?

Mr. ANTHONY. I think it is.

Mr. NEWTON of Minnesota. There have been some accidents in the postal air service in connection with the use of the Junker plane, and I wondered if it was the same plane.

Mr. ANTHONY. I think it is.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. MANN of Illinois. The gentleman's amendment provides that not less than \$5,500,000 shall be expended for the purchase of new planes. Now, they are making experiments with these new metal planes to determine how long it will take them to crystallize. Suppose it takes a little while to determine that. I take it that they are not prepared at present to make these metal planes on a large scale anywhere in the country?

Mr. ANTHONY. That is correct.

Mr. MANN of Illinois. Does not the gentleman think it rather drastic to say that they must find out whether these metal planes will be serviceable and last long enough to justify their adoption, and at the same time require them to spend \$5,500,000 during the next fiscal year, although they may not come to a determination about the metal planes until toward the end of the fiscal year?

Mr. ANTHONY. The situation in our Army to-day with reference to the air is that our flyers have to go up in the D. H.-4 plane, evolved during the war, and the opinion of our flyers is that the D. H.-4 is an out-of-date, antiquated, and unsafe machine to go into the air in. We want to compel the Air Service to provide up-to-date machines for our flyers, and that is why we put in the provision to construct machines of the latest type.

Mr. MANN of Illinois. Will not this be the result? You compel them to spend the money. They may have to go out and spend the money in buying up old, out-of-date airships.

Mr. ANTHONY. No; they will not.

Mr. MANN of Illinois. Because they have not yet determined that the new type of machines are serviceable. They are still experimenting with metal machines. They do not know whether they want to construct metal planes or not, because they do not know whether they will last long enough to pay for constructing them.

Mr. MONDELL. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. MONDELL. Is not this the situation: There is a demand in the Army for a certain expenditure for other purposes than the purchase of new planes. There is also a demand for a considerable expenditure for new planes. Now, except for this provision that has been referred to, the Army could spend this entire appropriation for other purposes.

Mr. ANTHONY. To hire civilian employees—

Mr. MANN of Illinois. No; the amendment carries a limitation, and they could not do anything of the kind.

Mr. ANTHONY. They could if we did not put in this limitation.

Mr. MANN of Illinois. The limitations are there. What is the use of saying they can spend the money for other purposes?

Mr. MONDELL. Strike out this limitation to use the \$5,000,000—

Mr. MANN of Illinois. That is not a limitation; that is a direction to spend the money.

Mr. MONDELL. "If you spend this money, you shall spend it for new planes. If you do not need new planes, you shall not spend it."

Mr. MANN of Illinois. That is not what it says.

Mr. MONDELL. That is exactly what it says.

Mr. MANN of Illinois. The gentleman has not read the amendment.

Mr. ANTHONY. The gentleman made a statement that the Army was not prepared to build the latest type of plane. The only question at issue is whether they will build that type of metal plane or of wood. The Army has developed a type of pursuit plane, one of the fastest pursuit planes that has been developed anywhere in the world. We have developed a type of bombing plane and ground-attack plane which they say is the last word unless they are made out of metal. Our fliers are clamoring to be given the latest type. If we have to hold back the production, if we have to wait two years, we will have no planes.

Mr. MANN of Illinois. They can spend the \$5,000,000 on other planes regardless of whether they adopt the metal plane or not.

Mr. ANTHONY. I hope they will spend it for the all-metal type.

Mr. MANN of Illinois. It will have to be, although my genial leader, who has not read the amendment, says they may do so and so, when the amendment says that not less than \$5,000,000 shall be spent for the production and purchase of new airplanes, and so forth. I can read the English language and understand what it says.

Mr. MONDELL. The gentleman knows that this money can not be spent unless for a certain specific purpose, and the intent of that is to prevent the military authorities from spending the \$5,000,000 for other purposes in case they do not desire to spend it for new planes.

Mr. MANN of Illinois. The gentleman is again entirely mistaken. The language of the amendment is that not to exceed \$4,000,000 is to be expended for the pay and expenses of civilian employees, and not to exceed a certain amount for other purposes. Those limitations are in the amendment, and then there is a part of the amendment that follows that not less than \$5,000,000 shall be expended for the production and purchase of new airplanes.

Mr. MONDELL. That is the difference between tweedledum and tweedledee.

Mr. MANN of Illinois. When a man knows he is mistaken he ought to admit it. [Laughter.]

Mr. MONDELL. They might have put it in a different form. They might have said that not more than so much shall be expended for this particular purpose, and it would be equally effective, except for the fact that in that event the money could be used for other purposes. They put it in a form to make it clear that it could not be spent for any other purpose, because that was what they wanted. It is made clear that they could not spend this money for any other purpose.

Mr. CRAMTON. There is an item in the bill for miscellaneous expenses that is covered by about two pages of the language in the bill.

If this limitation should be written that "not more than" so much was for new production, anything that was not spent for new production could be expended for anything covered by the language of the bill on which there was not an express limitation, and there are many things that are not limited. We did not want to give them any opportunity to cut down new production and use it for miscellaneous items that are not limited. Hence, the desire of the committee being for new production, we fixed a minimum.

Mr. MONDELL. In other words, if they expend this particular sum of money it must be expended for new planes?

Mr. CRAMTON. It must be.

Mr. MONDELL. Of course, if they do not deem it wise to buy new planes they will not expend the money?

Mr. MANN of Illinois. And violate the law. The gentleman from Wyoming complains about the Secretary violating the law.

Mr. MONDELL. The gentleman from Illinois is too good a parliamentarian and too good a constructionist of legislative language to believe that because we say a certain amount shall be expended for a certain purpose, it means that it must be expended whether or no there is good reason for expending it.

Mr. MANN of Illinois. That is the exact fact. It does mean that it must be expended, and that is the reason it is offered in this form, as stated by the gentleman—to make them expend it in purchasing new planes.

Mr. MONDELL. If they spend it at all.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HICKS. Now that these two leaders have gotten their difficulties settled so that none of us understand the matter, I would like to ask the gentleman a question about helium. I notice in the House bill \$100,000 was carried for experimentation in helium. That amount was raised by the Senate to \$400,000 and the conferees have reduced it to \$250,000. Is the gentleman, in his own mind, convinced that the helium situation in Texas is such that it warrants the expenditure at the present time of \$250,000?

Mr. ANTHONY. I am not so convinced, but other members of the committee of conference felt the necessity for continuing this appropriation, and we yielded in the degree mentioned by the gentleman.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHINDBLOM. Can the gentleman say what is the estimate of life of an airplane in the Army service?

Mr. ANTHONY. The experts have been greatly disappointed at the life of an airplane. For instance, statements are made to us that of the thousands of D. H. 4's that we have on hand, which were considered fine machines a year or two ago, simply two years of storage has caused them to so deteriorate that before they take those machines up into the air they will have to practically rebuild them. The glue and other ingredients used in joining them together seem to give way, and it necessitates their practical reconstruction.

Mr. CHINDBLOM. I asked the question for this reason: If our flyers are going to be occupied, the Army must procure the planes, and I think it is well to direct the Army officers in Army management, that they shall purchase the necessary planes for the flyers to use, and if the life of a plane is not beyond a year then that provision must be made annually.

Mr. GARD. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GARD. I want to make inquiry with respect to the appropriations about aircraft. Did we carry such an appropriation in the last appropriation act—that is, a directory item for the expenditure of money for experimental work in lighter-than-air machines?

Mr. ANTHONY. I do not think we ever carried that item.

Mr. GARD. I refer to the item in lines 17, 18, and 19, on page 14, in amendment No. 10, which seems to me to be directory in respect to the expenditure of \$5,000,000 for experimental purposes. Whether or not that is the gentleman's contention I do not know, but I am asking if there has been any provision heretofore for an appropriation of that kind for that purpose?

Mr. ANTHONY. My recollection is that there has been no explicit expenditure for an experimentation in lighter-than-air machines, but in this bill we provide \$500,000 to be spent for the production of lighter-than-air craft, and we provide that \$5,500,000 must be expended for new planes.

Mr. GARD. The item to which I refer is the \$5,000,000 item in lines 17, 18, and 19, on page 14.

Mr. ANTHONY. The Air Service wanted a large appropriation for an engineering plant, for engineering and development work in balloon service, but the committee did not deem it advisable to grant it at this time.

Mr. GARD. My question went to the \$5,000,000 item.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the motion to recede and concur.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 12: Page 15, after line 16, insert: "That payments heretofore made by disbursing officers of the United States to the Lonoke Chamber of Commerce, Lonoke, Ark., under and pursuant to a lease dated March 20, 1919, providing for the use and occupation by the United States of certain lands near Lonoke, Ark., for aeronautical purposes and providing for an increased rental from and after January 1, 1919, are hereby ratified and confirmed."

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 18: Page 17, line 5, strike out "\$72,678,659" and insert "\$83,000,000."

Mr. ANTHONY. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

Mr. GREENE of Vermont. Mr. Speaker, I offer a preferential motion, that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Speaker, I have offered a motion to recede and concur in the Senate amendment which provides for an expenditure of \$83,000,000, designed to establish for the ensuing fiscal year an Army approximating 175,000 enlisted men. I realize that this subject is not new, and we all appreciate that in the haste with which it is necessary to do a good many things at this time, it would be unprofitable to ex-

pend much of our opportunity debating many of the details that are involved in such a very important policy as the size of the Army.

I merely want to emphasize the position that I have taken repeatedly before this House and which I have attempted at times to explain, that we are not now appropriating for a fighting Army, an actual force that is to be relied upon for national defense in and of itself, but we are appropriating for an Army which in peace time is a national police force, that is to garrison our outlying possessions, that is to instruct itself in military science, and that is designed to be a school for the instruction of the great civil population either in their National Guard activities or in the other ways in which they seek experience that will enable us in time of emergency, in time of war, to summon with some degree of training the great citizen army on which we always have to rely when war breaks out.

This question, therefore, ought not to be surveyed as if we saw 175,000 men all together in this country as an organized fighting force. But when we come to realize that in this enormous continental domain of ours, to say nothing of the outlying possessions, we must divide this military force up into little dribbles and station those small parts for service here and there at the posts throughout the country and in our outlying possessions; and when we realize we must still further divide up the men for service at schools and colleges for Reserve Officers' Training Corps purposes and with the National Guard in various State organizations, we will soon find we have almost nothing left of any kind of tactical organization that will give the Army itself, its officers, and noncommissioned officers a sufficient force for training from year to year that will make it proficient in military science and prepare for any emergency there might be.

So it was the design in the Army reorganization act that we should be able after distributing the Army about this country, as we are obliged to do, to keep somewhere together a war-time fighting unit of the highest character, both in numbers and in armament, and in all the personnel that are necessary for a war-time fighting unit, so that our officers and noncommissioned officers might in their turn from year to year pass through the administration of and service with a unit of this kind and number and gain experience in the course of their own training in handling a fighting force that could be used in emergency.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. GREENE of Vermont. I will.

Mr. NEWTON of Minnesota. Will the gentleman explain what the Senate has provided for—that is, the number of enlisted men—and what would be provided for under the \$72,000,000, or just what is presented to the House upon the amendment in question?

Mr. GREENE of Vermont. It has always proved to be a fact that these rough or round number estimates or figures set out in appropriation bills will not figure out precisely to the unit of men that they are expected to appropriate for, but, roughly speaking, the House conferees stand for 150,000 men, and the Senate proposes to stand for 175,000. [Applause.]

Mr. NEWTON of Minnesota. That is in accordance with the recommendation of Gen. Pershing.

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Speaker, in connection with my remarks I desire to ask unanimous consent to extend my remarks in the Record by inserting a statement of The Adjutant General showing the disintegration of the Army from now until May 31, 1922.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks by inserting the table indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. OLNEY. Mr. Speaker and Members of the House, the next and very able Secretary of War, the Hon. John W. Weeks, of Massachusetts, within 10 days advocated the total strength of the Army in enlisted men at 175,000. I am sure that you gentlemen on this side are in harmony with the next Secretary of War, and those on the other side do not desire to embarrass the next administration by having a deficiency reported in providing for only 150,000 men. The present Secretary of War by an order issued about February 1 immediately stopped the enlistment of men. At that time there were enlisted in the Army 237,000. Since that time we have disintegrated proportionately about 8,000 per month gross less 2,000 who have enlisted again, it being allowable for 1-year and 3-year enlistment men as they go out to reenlist, so there is a net disintegration per month of about 6,000 men. Brig. Gen. Herbert M. Lord, of the Finance Department, about two weeks ago testified before the Military Affairs Committee of the Senate that the average size

of the Army for this year will be 181,000 men. I do not think we ought to appropriate for an Army of 150,000 men when the average Army for this year and into the next fiscal year will be nearly 200,000 men. This table which I insert in the RECORD shows that on November 30, 1921, the total strength of the Army will be about 175,000 men, as fast as they can unenlist them.

Mr. FIELDS. Will the gentleman yield?

Mr. OLNEY. I have only five minutes.

Mr. FIELDS. Gen. Lord, in making that statement, had not taken into consideration the legislation carried by this bill which directs the Secretary of War to discharge from the Army all enlisted men under 18 years of age?

Mr. OLNEY. I understand from The Adjutant General as fast as they can unenlist these men they can not expect to discharge from the Army from natural and other causes more than 6,000 men, including those that make up the strength of the Army up to May 31, 1922, and as fast as those men can be unenlisted, if I may coin the word, the strength of the Army at that time will be about 165,000, not including the Philippine Scouts which amount to nearly 10,000 men. Therefore it seems to me the part of unwisdom to appropriate for an Army of 150,000 men when now at present day figures we have an enlisted strength of about 230,000 men. We can not unenlist them up until the 1st of January next year so that the Army will be less than 175,000 men.

There is another item running along in this bill a little later proposing to promote two great generals to the rank of lieutenant general, and I hope somebody will offer a further amendment here to promote Gen. Crowder as well to hold the rank of lieutenant general. There is another man from Ohio who was in command of the Third Army over in France, Gen. Dickman, who ought to be recognized. The amendment in the Senate concerns Gen. Liggett, a Pennsylvanian by birth, who was in command of the First Army, and Gen. Bullard, of Alabama, in command of the Second Army.

These three armies were thoroughly and efficiently organized over in France, and I would like to see these three great generals promoted. I might suggest that as a modification, as I understand the Senate amendment proposes to promote these two generals to the rank of lieutenant general in the active service, the House might see to it and might vote that these two men, Dickman and Crowder, along with Liggett and Bullard, also be put on the retired list as lieutenant generals, with all that goes with it.

For the information of the House, and most of you are familiar with these facts, I may say that Gen. Liggett retires from the Army March 28, this year. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. OLNEY. The statement that I referred to is as follows:

Projected strength of the U. S. Army, by arm of service, based upon losses by E. T. S. and other normal causes, Feb. 19, 1921.

	Inf.	Tank.	Cav.	F. A.	C. A. C.	A. S.	C. E.	Sig.	J. A. G. D.	Q. M. C.	F. D.	M. D.	O. D.	C. W. S.	D. E. M. L.	Total.	P. S.	Total.
Strength:																		
Jan. 31, 1921.....	83,340	2,700	19,584	27,389	25,193	11,521	7,278	5,081	4	21,162	320	14,385	4,033	533	7,428	230,976	6,884	237,860
Feb. 28, 1921.....	83,770	2,666	19,351	27,142	25,200	11,661	7,145	5,013	4	20,890	322	14,319	4,025	294	7,390	230,283	6,783	237,066
Mar. 31, 1921.....	82,550	2,631	19,096	24,723	25,930	11,482	6,593	4,946	4	20,451	313	14,116	3,971	288	7,284	224,389	6,702	231,091
Apr. 30, 1921.....	81,893	2,597	18,846	23,094	25,222	11,127	6,132	4,877	4	19,995	314	13,926	3,785	280	7,183	218,785	6,616	225,402
May 31, 1921.....	80,003	2,377	18,510	21,893	24,022	10,741	5,918	4,805	4	19,602	310	13,674	3,611	272	7,078	212,519	6,531	219,353
June 30, 1921.....	78,042	2,265	17,367	21,405	23,075	10,590	5,788	4,693	4	19,209	305	13,210	3,478	264	6,954	205,502	6,447	212,950
July 31, 1921.....	75,942	2,091	15,944	20,735	21,947	10,128	5,607	4,550	4	18,914	301	12,710	3,355	261	6,823	199,309	6,364	205,673
Aug. 31, 1921.....	73,570	1,921	14,898	19,849	20,788	9,600	5,439	4,414	4	18,664	297	12,219	3,223	258	6,685	192,127	6,276	198,403
Sept. 30, 1921.....	71,457	1,800	14,634	18,976	19,843	9,685	5,251	4,270	4	18,408	292	11,847	3,116	255	6,534	185,415	6,189	191,604
Oct. 31, 1921.....	69,266	1,764	14,417	17,928	18,968	9,490	5,083	4,153	4	18,144	288	11,483	3,032	252	6,402	183,701	6,103	189,804
Nov. 30, 1921.....	66,185	1,744	14,224	16,528	18,134	9,250	4,740	4,123	4	17,885	282	11,055	2,931	249	6,249	175,593	6,033	179,623
Loss, E. T. S., December, 1921.....	2,873			1,771	508	293	417	3		48	2	458	61		94	6,941		6,941
Loss, other causes (1.252 per cent).....	829	22	178	207	227	116	59	52		224	4	138	37	3	78	2,174	78	2,252
Reenlistments (20.1 per cent).....	577		2	356	182	58	84	1		10		94	12		19	1,395		1,395
Strength, Dec. 31, 1921.....	63,060	1,722	14,040	14,903	17,183	8,902	4,348	4,075	4	17,623	276	10,544	2,845	245	6,093	165,573	5,952	171,525
Need to enlist, December.....				1,235	318	222	493			57		102			2,429	793		3,175
Total December, 1921.....	63,060	1,722	14,040	16,141	17,501	9,124	4,843	4,075	4	17,623	333	10,544	2,845	348	6,093	168,302	6,698	175,000
Loss, E. T. S., January, 1922.....	3,329	1	1	1,531	854	473	249	9		23	9	302	53	1	97	7,132	1	7,133
Loss, other causes (1.245 per cent).....	786	21	175	201	218	114	60	51		220	4	131	35	4	76	2,093	9	2,105
Reenlistments (20.4 per cent).....	720			312	174	96	51	2		5	2	62	11		20	1,455		1,455
Total, January, 1922.....	59,465	1,700	13,864	14,721	16,603	8,633	4,583	4,017	4	17,385	322	10,173	2,771	343	5,943	160,529	6,688	167,217
Need to enlist, January.....	443	16		2,984	1,012	638	1,083			109		23		195	6,405	1,378		7,783
Strength, Jan. 31, 1922.....	59,908	1,716	13,864	17,655	17,615	9,271	5,620	4,017	4	17,385	431	10,173	2,794	538	5,943	166,931	8,066	175,000
Loss, E. T. S., February, 1922.....	1,389	1	25	565	440	258	105	6		25	5	131	40	24	55	3,037		3,037
Loss, other causes (1.243 per cent).....	745	21	172	219	219	115	52	49		216	5	123	35	7	74	2,085	104	2,139
Reenlistments (20.4 per cent).....	283		5	115	60	52	21	1		5	1	27	8		5	1,624		1,624
Total, February, 1922.....	58,067	1,694	13,672	16,989	17,045	8,952	5,454	3,903	4	17,149	422	9,943	2,727	512	5,825	162,405	7,962	170,367
Need to enlist, February.....	810	14		1,385	593	371	709			46		28		83	19	4,058	574	4,632
Strength, Feb. 28, 1922.....	58,867	1,708	13,672	18,371	17,639	9,323	6,163	3,903	4	17,149	468	9,943	2,755	595	5,844	166,404	8,536	175,000
Loss, E. T. S., March, 1922.....	592	1	479	84	164	39	20	20		189		131	11		80	1,818		1,818
Loss, other causes (1.21 per cent).....	730	21	170	228	219	116	76	49		213	6	123	31	7	72	2,061	110	2,174
Reenlistments (21 per cent).....	124		101	18	34	8	6	4		40		28	2		17	382		382
Total, March, 1922.....	57,669	1,686	13,124	18,077	17,290	9,176	6,065	3,898	4	16,787	462	9,717	2,712	588	5,709	162,964	8,423	171,387
Need to enlist, March.....	945	18		1,005	506	283	251			35		85		56	58	3,195	415	3,610
Strength, Mar. 31, 1922.....	58,614	1,704	13,124	19,082	17,796	9,460	6,316	3,898	4	16,787	497	9,717	2,747	644	5,767	165,159	8,841	175,000
Loss, E. T. S., April, 1922.....	3,858	13	2,473	592	574	200	284	60		702		563	65		483	9,933		9,933
Loss, other causes (1.24 per cent).....	727	21	163	237	221	117	78	48		208	6	120	34	8	72	2,060	114	2,174
Reenlistments (10.9 per cent).....	421	1	270	65	63	28	31	8		77		61	7		53	1,085		1,085
Total, April, 1922.....	54,450	1,671	10,768	18,318	17,084	9,113	5,985	3,789	4	15,951	491	9,095	2,635	633	5,265	155,248	8,727	163,975
Need to enlist, April.....	4,190	44	1,224	1,874	1,191	628	573			55		77		111	77	4,037	623	4,660
Strength, Apr. 30, 1922.....	58,640	1,715	11,992	20,192	18,255	9,741	6,558	3,789	4	15,951	546	8,095	2,763	713	5,695	165,645	9,355	175,000
Loss, E. T. S., May, 1922.....	3,881	7	1,324	592	829	286	263	113		1,231		597	71		443	10,217		10,217
Loss, other causes (1.24 per cent).....	727	21	140	230	226	121	61	47		198	7	113	34	9	71	2,054	121	2,175
Reenlistments (11.1 per cent).....	431	1	147	66	92	29	29	13		137		66	8		49	1,135		1,135
Total, May, 1922.....	54,463	1,688	10,853	19,416	17,292	8,800	6,243	3,042	4	14,662	539	8,451	2,669	704	5,230	154,609	9,234	163,843
Need to enlist, May.....	4,739	45	1,475	1,250	1,199	923	428			23		230	112	34	518	10,942	815	11,757
Strength, May 31, 1922.....	59,202	1,733	12,181	20,666	18,451	9,773	6,671	3,642	4	14,662	562	8,087	2,781	738	5,748	165,451	9,549	175,000

NOTE.—No account taken of changes in labor conditions in determining reenlistments. After Nov. 30, number to be enlisted to bring Army up to 175,000 is apportioned among those branches that are below strength. Percentages used in the above calculation are based on the experience during the past year.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I hope the motion made by the gentleman from Vermont [Mr. GREENE] will not be adopted, and yet I do not know that the gentleman from Vermont and I differ very greatly in our views with regard to what should ultimately be done.

The amount carried in the bill as it passed the House would pay an Army of an enlisted strength of approximately 150,000. But the gentlemen in the Senate insist it will not be possible to bring the Army to an enlisted strength of 150,000 at the beginning of the fiscal year for which we appropriate, except by discharges over and above the ordinary and normal reductions, and that therefore our appropriations, taking the Army at the strength they assume it would be at the beginning of the fiscal year, would not provide for an Army maintained at 150,000 during the entire year. They say that in order to pay the Army that would be in service at the beginning of the fiscal year and cover the entire expenditure for pay with the appropriation we have made, it would be necessary to allow the Army to dwindle or to be reduced to a strength about 125,000 or 126,000 at the end of the fiscal year. The conferees know very much better than I do how much there may be in the contention of the Senate. The Senate amendment proposing \$83,000,000 in lieu of \$72,000,000 is based on what they assume will be the enlisted strength of the Army at the beginning of the fiscal year, taking into consideration ordinary and normal reductions in strength up to that time, and then for an Army which would have an enlisted strength of about 162,000 at the end of the fiscal year. It appears, therefore, that neither of the sums carried here provide for an Army of just the numbers that have been so frequently referred to—150,000 in one case and 175,000 in the other—for the entire period.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREENE of Vermont. I think the gentleman is quite correct. As I reflect upon it, I think I should have said it was in the neighborhood of 162,000 for the average. I stated it a little high.

Mr. MONDELL. Now, if the House adheres to this provision for \$72,000,000, this matter will again be taken up in conference, and if the gentlemen of the Senate can convince our conferees that in order to provide for an Army which shall not go materially below 150,000 for the year that it is necessary to somewhat increase our appropriation, I think it would be their duty to agree with it.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LINTHICUM. As I understand, the 150,000 is 150,000 enlisted men, and then you provide for 14,000 officers in addition to that, do you not?

Mr. MONDELL. The item we are discussing is the item for the pay of the enlisted men and has nothing to do with the pay of the officers.

Mr. LINTHICUM. That is, 150,000 enlisted men?

Mr. MONDELL. One hundred and fifty thousand enlisted men.

Mr. HULL of Iowa. Does the gentleman advocate discharging men who have contracts and who do not want to be discharged?

Mr. MONDELL. Well, I do not know as it is necessary for me to pass on that or to express an opinion. I think there are many men who would like to be discharged, but whom the War Department are now holding. My own view is that if the War Department could and would allow men to leave the service who desire to leave it, the probability is the Army would be reduced to close to 150,000 at the beginning of the fiscal year. But I realize that in some cases it may be inexpedient for the department to allow all the men to leave the service who desire to do so, because of the fact that they may be in a branch of the service where the enlisted strength is already low or they may be men who are needed for some special work. So I realize there are some cases where a man's desire for discharge might not in the interest of the service properly be met for a few months. In that state of affairs it is possible that it would not be practicable to reduce the Army to 150,000 men at the beginning of the fiscal year. Of course, I am saying all this realizing that I am not so well informed on the subject as the gentleman from Michigan [Mr. CRAMTON] or the gentleman from Kansas [Mr. ANTHONY].

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. CRAMTON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. CRAMTON. I simply want at this time to call to the attention of the gentleman from Wyoming, in connection with what he has been saying, that the next amendment to come up, No. 22, gives express authority to the Secretary of War in his discretion to grant applications for discharge, and that gives him full opportunity along the line the gentleman has stated.

Mr. MONDELL. I hope I have made it reasonably clear that in all probability the conferees will be able to reach an agreement on this item without materially increasing the appropriation carried in the House bill. But it is altogether possible that after going over the matter again with the Senate conferees the House conferees may find that in order to maintain the establishment at the size which the House approves it will be necessary to agree to something of an increase in this item.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. PADGETT. I saw a newspaper report the other day—I do not know whether it is accurate or not—that the appropriation carried in the bill as it passed the House was only sufficient for something like 125,000 or 130,000.

Mr. MONDELL. If the gentleman heard my statement a moment ago, he will recall that I said it was claimed that with the Army at the enlisted strength it is expected to have at the beginning of the fiscal year it would be necessary to reduce the Army to 150,000 in order to pay the enlisted men with the sum appropriated by the House.

Mr. PADGETT. I did not hear that statement.

Mr. MONDELL. Just how accurate that is I do not know. But it is because there is something in the contention that the conferees should be allowed to go back with this item and make such a compromise as will carry out the views of the House as to the average strength of 150,000 men during the entire year. Mr. LINTHICUM. One other question. As to the average of 150,000 men, I wanted to know whether with the present turn of events in Europe the gentleman thinks we ought to have any increase?

Mr. MONDELL. I do not.

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. The conferees on the part of the House feel that it will be possible to arrive at some satisfactory agreement with the Senate on this item. Under the appropriation made by the House, unquestionably in order to maintain the Army at an average of 150,000 men, as the House desires during the next fiscal year, we shall have to arbitrarily discharge 30,000 or 40,000 men between now and July 1. It can be done, and there would not be the slightest necessity of permitting the Army to go down to the minimum of 122,000, as some people have contended. And under any circumstances it would be entirely possible and feasible, with the language that we incorporate in the bill later on, which the House will pass upon, to bring the Army down to about the size that the House desires.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Has that ever been done in the history of our country before?

Mr. ANTHONY. No; the necessity never arose.

Mr. HULL of Iowa. You realize that you are breaking a contract with the enlisted men?

Mr. ANTHONY. The gentleman is in error about the contract business. The enlisted man signs no contract with the Government.

Mr. HULL of Iowa. There is an implied contract there, and the man has arranged to stay in the Army for three years.

Mr. ANTHONY. We are going to permit them to go back to civil life, where many of them would like to go.

Mr. HULL of Iowa. You are not only going to permit it, but you are going to make them retire to civil life.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CRAGO. If the House votes down the preferential motion of the gentleman from Vermont [Mr. GREENE] and votes favorably on the motion of the gentleman from Kansas [Mr. ANTHONY], the question is whether the conferees will take that as the position of the House, from which they are not justified in receding?

Mr. ANTHONY. No. The conferees are going to try to arrive at some reasonable compromise in this matter with the Senate—a compromise which will do the least possible damage to the Army and yet at the same time bring the Army down to a reasonable size.

Mr. CRAGO. Will the gentleman yield to me three minutes?
Mr. ANTHONY. Yes; I yield to the gentleman three minutes.

Mr. CRAGO. I want it to be possible for the conferees, when it is shown that the reduction of the Army to 150,000 men is a reduction that is too drastic, in order that the Army might properly function to feel that they might, under a proper showing and when the figures are given, agree to the Senate amendment. I do not believe our people at this time want any great standing Army, but we must realize that until the National Guard of the country is thoroughly organized and equipped we have very little defense in this country. That reorganization is slower than we had thought it would be. After every great war in which we have engaged the military history of our country shows that we have foolishly thrown away much of the knowledge and the experience that we gained in these conflicts in which we have been engaged, and I do hope that growing out of this war there will remain with us for years and years to come the realization that it is very necessary for us to have a proper-sized Army in order that that Army may properly function. In other words, you can keep your force down to such a small body of men that it is not possible for our officers, especially of the higher grades, to properly perform their duties and to organize an Army as it should be organized in order to properly function.

I want to call attention to the fact that Gen. Pershing himself and the men who have studied this problem are of the opinion that it is not possible for them to have the Army function as they organized it in France and as they have now organized it with less than about 175,000 men. I would want these conferees to feel that if they so believe the House will back them up in agreeing to an appropriation large enough to provide such an Army.

Mr. MONDELL. Mr. Speaker, will the gentleman yield just a moment?

Mr. ANTHONY. Yes.

Mr. MONDELL. In view of what the gentleman from Pennsylvania [Mr. CRAGO] has said, let me express the opinion that the House will not back up the conferees if they yield the full amount, or any very considerable portion of the increase made by the Senate. [Applause.] I think the conferees should go back free to make such a compromise as seems proper for them to make to carry out, as nearly as may be, the view of the House as to an establishment that shall not fall below 150,000 and shall approximate that number.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

Mr. FISH. Mr. Speaker, will the gentleman yield for a question?

Mr. ANTHONY. Yes; I yield.

Mr. FISH. I think there is one question that has not been brought out at all in this House in considering whether we should have an Army of 150,000 or 175,000. As for myself, I am very undecided how to vote, and I think the gentleman might explain to the House what is the size of our present National Guard. As I understand it, we have a Federalized National Guard of some 75,000, and it is expected that we will have a force of 125,000 federalized National Guard by next year. If that is a fact, and believing as I do that these Federalized National Guard soldiers and officers who have seen service are equal in every respect to our Regular Army, I shall vote for 150,000.

Can the gentleman explain to the House the present numerical status of the guard?

Mr. ANTHONY. The present size of the National Guard is approximately 85,000 men. It is growing rapidly, and with the encouragement that we are providing in the increased appropriations in this bill I have not the slightest doubt but that it will reach 125,000 in the early part of the next fiscal year, and it ought to grow to a much larger size.

Mr. FISH. Will the gentleman yield to me two minutes?

Mr. ANTHONY. I yield to the gentleman two minutes.

Mr. FISH. I would like to point out to the House that the Regular Army officers who have investigated the artillery units of the National Guard which have been federalized state that they are in every way equal, if not superior, to the Regular Army Artillery units, for the reason that the vast majority of the "noncoms" and officers who were in the war and served in the Artillery have come back to the National Guard. The same in lesser degree applies to the Infantry units. The "noncoms" and the officers who served in the Infantry outfits on the other side have come back into those Infantry outfits. The soldiers are new, but the instructors and "noncoms" and officers have had actual battle practice. For that reason we should remember that we have a federalized National Guard of

85,000, in every way comparable to our Regular Army, and for that reason I shall vote for an Army of 150,000 Regulars.

Mr. DAVIS of Tennessee. Will the gentleman from Kansas yield for a question?

Mr. ANTHONY. I yield to the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Are the Senate conferees insisting on 175,000 men exclusive or inclusive of the Philippine Scouts and the flying cadets?

Mr. ANTHONY. Exclusive.

Mr. DAVIS of Tennessee. How many are there in the Philippine Scouts?

Mr. ANTHONY. Six thousand five hundred.

Mr. DAVIS of Tennessee. How many are provided for in the flying cadets?

Mr. ANTHONY. We provide for about 1,200. I do not know how many there are now, but not nearly that number.

Mr. JONES of Texas. Will the gentleman from Kansas yield to me?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on this bill.

Mr. LINTHICUM. I hope the gentleman will wait until after 2 o'clock. I shall have to object.

The SPEAKER. The gentleman from Maryland objects. The question is on the preferential motion of the gentleman from Vermont [Mr. GREENE].

The question being taken, the Speaker announced that the yeas appeared to have it.

Mr. GREENE of Vermont. Mr. Speaker, I shall have to ask for a division.

The House divided; and there were—yeas 19, yeas 96.

Mr. BLANTON. Mr. Speaker, in order to get a record vote, I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. The Chair will count. [After counting.] Two hundred and seven members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as are in favor of the motion of the gentleman from Vermont [Mr. GREENE] will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 82, yeas 242, answered "present" 1, not voting 103, as follows:

YEAS—82.

Ackerman	Hadley	Merritt	Sanders, N. Y.
Bee	Hicks	Miller	Schall
Bland, Mo.	Houghton	Minahan, N. J.	Sims
Burdick	Husted	Monahan, Wis.	Smith, Idaho
Campbell, Pa.	Johnson, S. Dak.	Moores, Ind.	Smith, N. Y.
Carew	Johnson, Wash.	Morin	Snell
Chindblom	Jones, Pa.	Mott	Snyder
Coady	Kahn	Mudd	Stiness
Copley	Kiess	Newton, Minn.	Tague
Crago	Lea, Calif.	Olney	Temple
Cullen	Lee, Ga.	Osborne	Tilson
Dale	Lehlbach	Paige	Treadway
Dallinger	Lufkin	Parker	Vaile
Dupré	McAndrews	Pell	Walsh
Eagan	McArthur	Phelan	Waiters
Elliott	McGlennon	Pou	Welling
Fisher	McKiniry	Raker	White, Me.
Glynn	McKinley	Rhodes	Winslow
Gould	McLaughlin, Mich.	Rogers	Zihlman
Graham, Ill.	Mapes	Rowe	
Greene, Vt.	Mar'in	Sanders, Ind.	

NAYS—242.

Almon	Burroughs	Echols	Hernandez
Anderson	Butler	Edmonds	Hersey
Andrews, Md.	Byrnes, S. C.	Esch	Hickey
Andrews, Nebr.	Byrns, Tenn.	Evans, Mont.	Hill
Anthony	Campbell, Kans.	Evans, Nebr.	Hoch
Ashbrook	Candler	Fairfield	Hoyer
Cannon	Cantrill	Farr	Huddleston
Ayres	Caraway	Fess	Hudspeth
Babka	Carss	Fields	Hull, Iowa
Bacharach	Carter	Fish	Hull, Tenn.
Bankhead	Christopherson	Flood	Humphreys
Barbour	Cleary	Focht	Hutchinson
Barkley	Collier	Fordney	Igoe
Begg	Connally	Foster	Ireland
Bell	Cooper	Frear	Jacoway
Benham	Cramton	Freeman	James, Va.
Benson	Currie, Mich.	French	Jeffers
Black	Curry, Calif.	Fuller	Johnson, Ky.
Bland, Ind.	Darrow	Gallivan	Johnson, Miss.
Bland, Va.	Davey	Ganly	Jones, Tex.
Blanton	Boies, Minn.	Gard	Kearns
Boies	Davis, Tenn.	Garrett	Keller
Bowers	Dempsey	Godwin, N. C.	Kelley, Mich.
Bowling	Denison	Good	Kelly, Pa.
Box	Dickinson, Iowa	Goodall	Kendall
Brand	Dickinson, Mo.	Goodykoontz	Kennedy, Iowa
Briggs	Dominick	Greene, Iowa	Kincheloe
Brinson	Dowell	Greene, Mass.	King
Brooks, Ill.	Dunbar	Griest	Kinkaid
Brooks, Pa.	Dunn	Hardy, Colo.	Kleccka
Browne	Dyer	Haugen	Knutson
Buchanan		Hawley	Kraus

Krcider	Newton, Mo.	Rouse	Tillman
Lampert	Nolan	Rucker	Timberlake
Lanham	Ogden	Sabath	Tischer
Lankford	Oldfield	Scott	Vinson
Layton	Oliver	Sells	Voigt
Lazaro	Padgett	Shreve	Volk
Linthicum	Park	Siegel	Volstead
Little	Parrish	Sinclair	Ward
Luce	Patterson	Sinnott	Wason
Luhning	Peters	Sisson	Watson
McDuffie	Porter	Smith, Ill.	Weaver
McLaughlin, Nebr.	Purnell	Smithwick	Webster
McLeod	Quin	Steagall	Welty
McPherson	Radcliffe	Stedman	Whaley
MacGregor	Rainey, Ala.	Stephens, Miss.	Wheeler
Madden	Rainey, Henry T.	Stephens, Ohio	White, Kans.
Magee	Ramsey	Stevenson	Williams
Mann, Ill.	Ramseyer	Stoll	Wilson, Ill.
Mansfield	Randall, Calif.	Strong, Kans.	Wilson, La.
Mays	Randall, Wis.	Strong, Pa.	Wilson, Pa.
Michener	Ransley	Summers, Wash.	Wingo
Milligan	Rayburn	Summers, Tex.	Wood, Ind.
Mondell	Reber	Sweet	Woods, Va.
Moore, Ohio	Reed, N. Y.	Swindall	Woodyard
Moore, Va.	Ricketts	Swope	Yates
Murphy	Robinson, N. C.	Taylor, Ark.	Young, N. Dak.
Neely	Robison, Ky.	Taylor, Colo.	Young, Tex.
Nelson, Mo.	Romjue	Taylor, Tenn.	
Nelson, Wis.	Rose	Thompson	

ANSWERED "PRESENT"—1.

Crowther

NOT VOTING—103.

Baer	Gallagher	Larsen	Riordan
Britten	Gandy	Lesher	Rodenberg
Brumbaugh	Garner	Loneragan	Rowan
Burke	Goldfogle	Longworth	Rubey
Caldwell	Goodwin, Ark.	McClintic	Sanders, La.
Casey	Graham, Pa.	McCulloch	Sanford
Clark, Fla.	Griffin	McFadden	Scully
Clark, Mo.	Hamill	McKenzie	Sears
Classon	Hamilton	McKeown	Sherwood
Cole	Hardy, Tex.	Maher	Slemp
Costello	Harrell	Major	Small
Crisp	Harrison	Mann, S. C.	Smith, Mich.
Dent	Hastings	Mason	Steele
Dewalt	Hayden	Mead	Steenerson
Donovan	Hays	Montague	Sullivan
Dooling	Hersman	Moon	Thomas
Doremus	Holland	Mooney	Tinkham
Doughton	Howard	Nicholls	Towner
Drane	Hulings	O'Connell	Upshaw
Drewry	James, Mich.	O'Connor	Vare
Eagle	Johnston, N.Y.	Overstreet	Venable
Ellsworth	Juul	Perlman	Vestal
Elston	Kennedy, R. I.	Rainey, John W.	Watkins
Emerson	Kettner	Reavis	Wise
Evans, Nev.	Kitchin	Reed, W. Va.	Wright
Ferris	Langley	Riddick	

So the motion to recede and concur was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. CROWTHER (for) with Mr. UPSHAW (against).

Until further notice:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. HARRELD with Mr. HASTINGS.

Mr. TOWNER with Mr. CRISP.

Mr. JUUL with Mr. MCCLINTIC.

Mr. MCCULLOCH with Mr. LARSEN.

Mr. PERLMAN with Mr. OVERSTREET.

Mr. BENHAM with Mr. MCKEOWN.

Mr. REED of West Virginia with Mr. FERRIS.

Mr. LONGWORTH with Mr. MONTAGUE.

Mr. TINKHAM with Mr. O'CONNELL.

Mr. VESTAL with Mr. GRIFFIN.

Mr. SANFORD with Mr. NICHOLLS.

Mr. SLEMP with Mr. MEAD.

Mr. HAYS with Mr. DRANE.

Mr. BRITTEN with Mr. HARRISON.

Mr. MASON with Mr. MAJOR.

Mr. REAVIS with Mr. HAYDEN.

Mr. GRAHAM of Pennsylvania with Mr. KITCHIN.

Mr. ELLSWORTH with Mr. THOMAS.

Mr. VARE with Mr. WISE.

Mr. CLASSON with Mr. JOHN W. RAINY.

Mr. COSTELLO with Mr. DOUGHTON.

Mr. BAER with Mr. MOON.

Mr. RODENBERG with Mr. CLARK of Missouri.

Mr. HULINGS with Mr. DREWRY.

Mr. KENNEDY of Rhode Island with Mr. DENT.

Mr. EMERSON with Mr. DONOVAN.

Mr. COLE with Mr. GOLDFOGLE.

Mr. HAMILTON with Mr. GOODWIN of Arkansas.

Mr. MCFADDEN with Mr. GARNER.

Mr. JAMES of Michigan with Mr. HARDY of Texas.

Mr. ELSTON with Mr. WRIGHT.

Mr. SMITH of Michigan with Mr. O'CONNOR.

Mr. RIDDICK with Mr. SEARS.

Mr. STEENERSON with Mr. RIOEDAN.

Mr. BURKE with Mr. HOLLAND.

Mr. MCKENZIE with Mr. SULLIVAN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on the motion of the gentleman from Kansas [Mr. ANTHONY] to insist.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 22: On page 17, line 11, after the word "guardian," insert "and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men who have served one year or more with records satisfactory to their commanding officers, without regard to the provisions of existing law respecting discharges."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate No. 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment; and the Secretary of War is authorized, in his discretion, to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges."

Mr. ANTHONY. This amendment, Mr. Speaker, perfects the language of the bill so as to carry out the ideas of the House in regard to the discharge of boys under 18 who enlisted in the Army. It provides that they shall be given a discharge after enlistment. It waives any infraction of military regulations that they have been guilty of in making a false enlistment and permits a discharge based on the conduct after enlistment—an honorable discharge if they have been good soldiers, and otherwise not. It gives them transportation to the place of enlistment or to their homes if it is not farther than the place of enlistment.

The Senate has added this language:

The Secretary of War is authorized, in his discretion, to grant applications, where discharged, to enlisted men, without regard to the provisions of existing law respecting discharges.

Mr. FIELDS. That does not apply to men under 18 years of age; it applies to the whole Army.

Mr. ANTHONY. It applies to the whole Army.

Mr. FIELDS. I understand the amendment in relation to the transportation applies to residence not a greater distance from the place where the soldier is discharged than the place where he was enlisted; the transportation will be given equivalent to the transportation to the place of enlistment.

Mr. ANTHONY. That is correct. If he has changed his residence, he will be given transportation equivalent to the place of enlistment.

Mr. FIELDS. If he was not enlisted at home and the residence is farther away than the place of enlistment, he will be given transportation equivalent to the place of enlistment.

Mr. ANTHONY. That is correct.

Mr. PADGETT. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. PADGETT. The gentleman spoke of enlistment after one year. Suppose they have enlisted for less than one year, what about getting a discharge then? There may be a number of cases where they enlisted for less than a year.

Mr. ANTHONY. We have cut that language out. The language "who have served one year or more with a record satisfactory to the commanding officer" is eliminated. Any boy under 18 can get a discharge the day after.

Mr. PADGETT. If one is over 18 and wants to get out, then he has to have a year's service?

Mr. ANTHONY. We grant this authority to the Secretary of War, in his discretion, to grant a discharge.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. We had a long debate in the House when the bill was originally before us and it was demonstrated then that there was a disposition on the part of some Members to claim that where a minor had enlisted in the Army and then found it did not come up to his expectations or that of the family, his parents could claim the right to a discharge because he was a minor, and that this youth ought not to be discharged under any handicap, that he should be put on the status of a full-grown man who had voluntarily enlisted

in the Army, served faithfully and well with fidelity, and completed his contract, and should receive an honorable discharge and traveling allowance back to the place of original enlistment. Does this amendment propose to do anything of that kind?

Mr. ANTHONY. It does not; it waives any infringement of the military discipline which he may have been guilty of. It takes his conduct after enlistment, and if it is good he gets an honorable discharge, and if it is bad he can not get the same kind of a discharge.

Mr. GREENE of Vermont. This is what I am trying to get at. There is no use of blinking the situation out of sight. If we are going to make the way plain for a man who is disposed to bellyache and welsh, to get all the honors and emoluments of a man who stood up to the gaff—

Mr. ANTHONY. We treat the boy as a minor and we give the authority for his discharge entirely to his parents or guardian.

Mr. GREENE of Vermont. Let me suggest this practical proposition: Here is a boy 17 years of age, one year under the limit you set. He has been reading novels like Dick Deadeye and other literature, and he wants to take a trip around the world in the Army. He enlists and expects to be sent to the Philippines, and does not get any farther than San Francisco or Hawaii when he gets homesick and finds that if he is in the Army as a soldier he must be a man, do a man's work, and take his share with the rest. But he begins to bellyache and welsh, and writes home to his mother to take advantage of her parental authority to get him out of the Army. He has been to the Philippines; he has had a fine Cook's tour at the expense of the Government; he is returned in a gold chariot back to the place where he ran away from home—

Mr. ANTHONY. Let me say that the Army recruiting officer will take great care not to enlist any boys under 18.

Mr. GREENE of Vermont. In the meantime you are punishing your Army by erecting a false standard in order that you may safeguard a policy of some chance recruiting officer, and it seems to me that we are getting at the wrong end—you should start him so that he will render the absolute Spartan service that every soldier owes, to do his duty faithfully and well until he is honorably discharged.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, this amendment, I think, removes the objections complained of by some Members of the House when the proposition passed here, and some undesirable features in the Senate amendment. As the provision passed the House the Secretary of War had no discretion in the discharge of these men. He was directed by that provision to honorably discharge all men under 18 years of age regardless of their service record. I did not agree with that and I did not think that was the proper thing at the time. The Senate amended the bill by striking out the word "honorably" which made it impossible for the Secretary of War to grant an honorable discharge to a man under 18 years of age, regardless of how good his services had been. The Senate further amended the proposition by providing for transportation in kind to the railroad station nearest the place of enlistment. With that I could not agree. For instance, a boy may have lived in Virginia and enlisted in New York and be stationed at the time of his discharge at Fort Myer. It would be unnecessary to send him back to New York, the place of enlistment. The conferees, therefore, provided that he shall be furnished with transportation in kind to the place of his residence or there shall be applied to that whatever the cost would be back to the place of enlistment. The conferees have provided for a discharge in accordance with the record the soldier had made while in the service.

Mr. VAILE. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. VAILE. In amendment 22 it is provided that the Secretary may grant applications for discharge to enlisted men who have served one year, but it says nothing about honorable discharge.

Mr. FIELDS. That does not apply to the question that we are discussing.

Mr. VAILE. It applies to those over 18 years of age as well as under.

Mr. FIELDS. Yes.

Mr. VAILE. Amendment 19 applies to those under 18 years of age.

Mr. FIELDS. Yes.

Mr. VAILE. And in neither place is there any provision for an honorable discharge. The boy may not have been a welsher; he may have served faithfully and honestly, but he goes out with a discharge that is not an honorable discharge and consequently is a dishonorable discharge.

Mr. FIELDS. The language in the amendment now pending provides for a discharge upon his service record.

Mr. VAILE. But it does not provide for an honorable discharge.

Mr. FIELDS. I think it could not be construed in any other way. I have not the language before me, but from my study of it I believe that if he has had honorable service it is incumbent upon the Secretary of War to give him an honorable discharge.

Mr. VAILE. The gentleman knows as a matter of fact that in the popular mind there are but two kinds of discharges, an honorable one and a dishonorable one.

Mr. FIELDS. That is true.

Mr. VAILE. If he merely gets a discharge and does not get an honorable discharge, what he gets as a matter of fact is a dishonorable discharge.

Mr. FIELDS. The language of the amendment provides that he shall be discharged upon his service record; and if he has a record of honorable service, then it follows that the discharge must be an honorable discharge.

Mr. VAILE. It perhaps does not make so much difference in time of peace, but in time of war it makes a great deal of difference.

Mr. FIELDS. This is peace-time legislation. I doubt if the gentleman has studied the language of the amendment. Of course, the language which he has before him in the bill is not the language we are considering. The language of the amendment offered by the gentleman from Kansas, I think, meets all of the objections on both sides except the objections of the gentleman from Vermont [Mr. GREENE], and I want now to discuss his objection for a few minutes. If recruiting officers did not become overzealous, if they did not mislead these boys of 15 and 16 years of age, there might be some basis for the argument of the gentleman from Vermont [Mr. GREENE], but I know, as every Member of this House knows who has tried to ascertain the facts, that recruiting officers resort to any and every method to get these boys into the Army.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. ANTHONY. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. FIELDS. I asked a boy a few days ago why he made the statement that he was 18 years of age when he was only 16. He said that he told the recruiting officer he was only 16, and the recruiting officer then said to him, "Oh, well, you want to get into the Army; this is only a matter of form, and I shall put it in here that you are 18 years of age," and he put it in, and the boy signed the application. I hope after the Army is required to discharge boys under 18 years of age that the War Department will at least instruct its recruiting officers in the future to be more careful about the enlistment of boys under 18 years of age.

One other word with regard to the amendment. The amendment does not leave it optional with the boy as to whether or not he shall be discharged. It leaves it to his parents or guardian. The boy can not be discharged upon his own application. The application must be made by the parent or by the legal guardian, and I think that is correct.

As I said a moment ago, the amendment offered by the gentleman from Kansas, which is the language agreed upon by the conferees, removes all of the substantial objections in either branch of Congress. I hope that the amendment will be agreed to.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Kansas to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 23: Page 17, line 17, insert: "That nothing contained in Public Resolution No. 59 of the Sixty-sixth Congress shall be held to prohibit sufficient enlistments in any branch of the Army to bring such branch to not more than 60 per cent of the number prescribed therefor in the act entitled 'An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice,' approved June 4, 1920, nor to prohibit the enlistment in addition thereto of flying cadets to the number now authorized by law."

Mr. ANTHONY. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment No. 23, and that the managers on the part of the House be given authority to agree upon said amendment. I do this for the reason that the percentage named in the amendment will be entirely dependent upon the size that is agreed upon for the Army.

The SPEAKER. The question is on the motion of the gentleman from Kansas that the House further insist upon its dis-

agreement to the Senate amendment, and that the conferees be given authority to recede.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 34: Page 23, line 6, after the word "fund" insert: "Provided, That so much of the unexpended amount of the appropriation for pay, etc., of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922: *Provided further*, That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the enlisted men of the line and staff during the fiscal year ending June 30, 1922."

Mr. ANTHONY. Mr. Speaker, I move that the House recede and concur with the following amendment, which I send to the desk, and ask to have read.

The Clerk read as follows:

In line 12 of the matter inserted by said amendment, before the word "enlisted," insert "officers and."

Mr. ANTHONY. Mr. Speaker, the first part of this amendment gives authority that so much of the unexpended balance of the appropriation for pay, and so forth, of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922. The reason for that is that there are thousands of these claims, mostly from enlisted men. Perhaps they were short in their pay for one month. They are nearly all small claims, but they are legitimate claims and will have to be paid.

If we do not keep this unexpended balance open on the books of the Treasury they will come back to Congress in the shape of auditor's claims and will have to be taken care of in a deficiency, and this is the simplest way to get around it. The amendment as offered inserts the word "officers" so as to compel the Secretary of War to keep the number of officers as well as the number of men within the appropriations which we provide in the bill. I ask for a vote.

Mr. GREENE of Vermont. Will the gentleman yield me two minutes?

Mr. ANTHONY. I yield three minutes to the gentleman from Vermont.

Mr. GREENE of Vermont. Mr. Speaker, I realize that very likely at this stage of the game it will be unwise if not impossible to prevent the conferees having their way about this provision, but I do want to call to the attention of the House in all seriousness that we have entered upon a policy that I think will return to plague us. For many years it has been the well recognized and established policy of this Congress not to determine the maximum of enlisted men in limiting figures in the Army appropriation bill from year to year. That would absolutely prevent the War Department or the Commander in Chief from raising the Army to the number actually provided for as the maximum established by the foundation law in case an emergency demanded it.

Now, the benefit of that policy was as well established through practical experience as any other similar policy could be, and it was this: From time to time international situations provoke some state of irritation or unpleasant feeling between peoples that possibly might drift on toward that state of dispute that would indicate a possible military clash. That is not so much true, of course, with our relations with far distant countries, but we can easily imagine one or two countries near by where that situation might at any time develop. It is very plain from the experience of human nature that if the President, seeing such a situation already on his hands and fearing lest it grow to the point of an emergency that would bring on a clash, should come to Congress and ask authority to raise more troops, that official act would advertise his anxiety over the situation, and there would be more tendency to increase the irritation and gravity of the situation as an implied threat of war if he were to take such action. And so the law has hitherto always provided an ultimate maximum, which as the foundation law it was obliged to do for economic reasons, but never insisting that the War Department should keep absolutely to the limit of the amount appropriated if this unexpected emergency should arise during the year. By that means the President had an opportunity quietly to study his forces and add to the units here and there if he sees the situation develop on our borders that might ultimately lead to war or to some armed engagement. Whereas if he had to wait until Congress was convened, he would not even have made that degree of preparation.

It is a simple matter, never has been abused in any sense relating to these emergencies, and sometimes has been the means of quietly holding troops in preparation for a conflict from whatever source the emergency might afterwards develop.

Mr. LAYTON. Would not the National Guard be available?

Mr. GREENE of Vermont. The National Guard—the calling out of the National Guard is a threat of war itself.

Mr. LAYTON. But they are ready to be called.

Mr. GREENE of Vermont. I understand. It is not the placing of troops in the field in armed array along the border line itself, not at all; it is the quiet recruiting of the Army against an emergency before any publicity has been given to it at all.

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Vermont. I ask for two minutes more.

Mr. ANTHONY. I yield the gentleman two minutes.

Mr. GREENE of Vermont. It is a matter of policy. The day may come when we shall regret having made this very arbitrary provision in an appropriation bill, particularly in times of such unrest as this.

I only want to call attention to another feature of this proposed amendment on the part of the conferees, and that is that they propose to limit the officers as well as the enlisted men. We often see here a picture of the Regular Army as a tactical force officered under the provisions of law by just the number of commissioned officers as were necessary for such a tactical organization. On the contrary, the relation of the officers of the Army to the enlisted men that we provide from year to year by these bills is not of a tactical ratio at all. We are in the position now of recruiting the commissioned personnel that was provided for by the Army reorganization act. It seems to me it is a great mistake if by reason of the passage of the limitation proposed by this amendment the Secretary of War should not be able to take into the Army within the ensuing fiscal year here and there individual men who are prepared to give themselves up to the military profession as commissioned officers while there are still three or four thousand vacancies. This man, that man, and the other man could not take advantage of his lifetime opportunity to begin his career as a commissioned officer in the Army, especially at a time when we are looking far and wide for a desirable commissioned personnel and find ourselves short of men by thousands. [Applause.]

Mr. ANTHONY. I yield three minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, I agree in the main with the gentleman from Vermont [Mr. GREENE] that this Congress has adopted a very nebulous and uncertain policy in reference to size of the Army. It has already provided that recruiting shall stop. Now it will require, by this limitation, the Secretary of War to reduce the Army to what point? The resolution adopted some time ago provided that enlistments should be discontinued until the Army was reduced to 175,000 men.

In this proviso you direct the Secretary of War to reduce the Army to what point? Why, to the point where the funds appropriated in this bill will pay for the men in the service. It would take a dozen accountants a long time to find out under the provisions of this bill just how many men could be had in the different branches of the service. Recruiting has been stopped, and you have already given the Secretary of War very broad powers with reference to the discharge of men. Why do you not eliminate this provision and let the Secretary of War reduce the force gradually by the elimination by discharge of such men as want to be discharged?

Now, if the conferees go back and agree on an Army of 150,000 men, the Secretary of War would be directed to reduce the Army to 150,000, when a month or more ago you fixed the size of the Army at 175,000. There ought to be some stability of policy in regard to this matter.

Mr. MONDELL. Will the gentleman yield?

Mr. CONNALLY. I yield.

Mr. MONDELL. The gentleman is not entirely accurate—

Mr. CONNALLY. I did not yield to an argument, but I will be glad to yield to a question.

Mr. MONDELL. May I suggest to the gentleman we did not fix the size of the Army at 175,000 men, but having appropriated for an Army of 175,000 men, we said to the Secretary of War, "You must not enlist beyond 175,000." We did not fix the strength of the Army. It was calling his attention to the number we had appropriated for.

Mr. CONNALLY. The gentleman from Wyoming, like he often does, rushes into the House without knowing what has transpired before he gets here, and assumes a lot of things that do not exist. What the "gentleman from Texas" said was that you passed a resolution the other day directing the Sec-

retary of War to discontinue enlistments until the Army was reduced to 175,000 men.

Mr. MONDELL. What the gentleman from Texas said was that we passed a resolution limiting the Army to 175,000 men.

Mr. CONNALLY. Did you not?

Mr. MONDELL. We did not.

Mr. CONNALLY. What did you do? The resolution provided that enlistments should stop until the Army was reduced to 175,000 men.

Mr. MONDELL. That was the only logical thing we could do when we had appropriated for an Army of 175,000 men. We could not logically have appropriated for that amount and said to the Secretary of War, "You can not enlist beyond 150,000." That would not have been logical.

Mr. CONNALLY. I will say to the gentleman that he admits exactly what I said, namely, that you passed a resolution directing the Secretary of War to stop the enlistments until the Army was reduced to 175,000.

Mr. MONDELL. Until we had provided for the number in the current bill.

Mr. CONNALLY. That was what was in your mind perhaps. I am talking about legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. CONNALLY. I would like two more minutes.

Mr. ANTHONY. I yield to the gentleman two minutes more.

Mr. CONNALLY. When people come to read statute laws or appropriation bills of this or any other Congress they will read what is on the printed page and not follow the gentleman from Wyoming into his private study and ask what was in his mind at the time he drew the resolution.

Mr. MONDELL. The "gentleman from Wyoming" did not draw the resolution.

Mr. CONNALLY. He instructed somebody to draw it, because most legislation that has been enacted in this Congress has been at the behest of the gentleman from Wyoming, and frequently considered with the same haste, and the same lack of judgment, and the same lack of attention to what has already transpired as are evidenced by the gentleman's conduct on this occasion.

Mr. MONDELL. The gentleman denies the soft impeachment that he draws the legislation. He also differs with the gentleman from Texas as to the character of the legislation he has drawn.

Mr. CONNALLY. Well, the gentleman from Wyoming is very skillful in his parliamentary power.

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield two minutes more to the gentleman.

Mr. CONNALLY. Thank you. I am glad the gentleman from Kansas recognizes that I am doing a service to the majority side of this House [laughter] and gives me more time than I asked.

What I started out to say, Mr. Speaker, was that I agree in the main with the gentleman from Vermont [Mr. GREENE], that this Congress ought to adopt some definite policy with reference to the size of the Army. This Republican Congress passed an Army bill authorizing and permitting 280,000 men to be enlisted and then came scurrying back to Washington after election demanding that the Army be reduced to 175,000, and later brought in a resolution providing that enlistments shall be discontinued until the Army reaches not more than 175,000. Then, what do you do? Are you satisfied with that? Now, no doubt, under the instructions of the gentleman from Wyoming [Mr. MONDELL], the subcommittee of the Appropriations Committee brings in an appropriation bill appropriating for only 150,000 men, when you know that there are many more than that in the Army, and when you know that the Secretary of War will understand you to mean what you said when you directed a reduction of the Army to 175,000 men.

Now you present another provision directing the Secretary of War to reduce the Army from 175,000 men, if it has been reduced to that number, to the number which this bill will maintain. What does it mean? It does not mean anything definite. You ought to say it if you mean 150,000. If you mean the Secretary of War should reduce the Army to 150,000 men, why do you not say so? Through such a jugglery of words and language and provisos the gentleman from Wyoming [Mr. MONDELL] will be enabled about the time of the special session of the Sixty-seventh Congress to rise up in all of his "leader-torial" glory and declaim against one of the executive departments for not reading his mind and interpreting his secret thoughts. To do that members of the Cabinet should be permitted to attend the gentleman's caucus. [Applause on the Democratic side.]

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, there is no Member of this House with a clearer mind or a better understanding than the gentleman from Texas [Mr. CONNALLY] who has just taken his seat. And yet it seems to be necessary occasionally to hold a primary class for his exclusive benefit. [Laughter.] With the permission of the House, I shall conduct for a few moments such a primary class.

Some time since the Congress fixed the maximum of the Army of the United States at 280,000 men in enlisted strength. Later, when the Congress came to appropriate, the Congress appropriated for an Army with an enlisted strength of 175,000 men. When the appropriation bill was presented to the House the statement was made that the appropriations for personnel were in a sum which would pay an Army of 175,000 enlisted men.

The Secretary of War, without authority, I think, certainly not following the will of Congress, saw fit to secure enlistments far in excess of the number which the Congress had appropriated for, and those enlistments had reached a point which was resulting in the constant piling up of a deficiency, and the Congress thereupon adopted a resolution as follows:

That the Secretary of War be, and he is hereby, directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlistments shall not exceed 175,000.

In other words, the Congress said to the Secretary of War, "You have enlisted beyond the number that Congress contemplated. You must cease those enlistments until you reach the number contemplated by the appropriations of Congress."

It was not the fixing of the strength of the Army, except as the strength had been fixed by the appropriation. Even though it might have been true at the time we passed that resolution that we believed that the Army need not be larger than 150,000, it would not have been logical to say to the Secretary, "You must stop enlisting until the Army is 150,000," because we had for the present fiscal year, by our appropriation, provided for an Army of 175,000.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Speaker, may I have three minutes more?

Mr. ANTHONY. I yield to the gentleman three minutes more.

Mr. QUIN. Mr. Speaker, will the gentleman yield? I agree with the gentleman in the main.

Mr. MONDELL. I will yield to the gentleman in a moment.

Following that, the Army bill for the coming fiscal year was made up, and the members of the committee having the bill in charge concluded after consultation with Members on both sides that the House now believed that an Army of 150,000 was sufficient for the coming fiscal year, and they brought in a bill with appropriations based on an Army of that size.

That is now the situation. It is perfectly simple; it is perfectly clear to everyone, except that it does not appear to be clear to the usually very intelligent gentleman from Texas [Mr. CONNALLY].

Now I yield to the gentleman from Mississippi.

Mr. QUIN. Does this bill now, if we vote down Mr. GREENE's motion, fix it so that they can not go beyond 150,000 men?

Mr. MONDELL. If the appropriation we have made in the House shall be the sum carried in the bill, there will not be enough to pay more than 150,000 men, or authority to pay more than 150,000 men.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I will if I have time.

Mr. CONNALLY. Does the gentleman think that the Army ought to be appropriated for at 150,000 or 175,000?

Mr. MONDELL. One hundred and fifty thousand.

Mr. CONNALLY. Why did the gentleman sponsor the resolution for 175,000?

Mr. MONDELL. Why, continuing the primer class for the exclusive benefit of the gentleman from Texas, we had at that time appropriated for an Army of 175,000. We could not logically say to the Secretary otherwise than "You must reduce the number of enlisted men to the number we appropriated for."

DEATH OF HON. CHAMP CLARK, REPRESENTATIVE FROM MISSOURI.

Mr. RUCKER. Mr. Speaker, it becomes my painful duty to announce to the House the death of one of its most prominent Members. Ex-Speaker CLARK passed away a few moments ago at his hotel in this city.

I talked with his son for a few moments an hour or two ago, and he said that his father's latest conscious expression gave voice to his great anxiety for the legislative success of this Congress. He said he knew his father, if he could be heard, would express the desire that no adjournment be had in consequence of his death.

At a later hour in the day, Mr. Speaker, I shall offer appropriate resolutions, which I trust the House will adopt.

RECESS.

Mr. MONDELL. Mr. Speaker, out of our high regard for our departed friend, our sincere sympathy with his family, and in honor of his memory, I ask that the House now stand in recess for 30 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House now stand in recess for 30 minutes. Is there objection?

There was no objection.

Accordingly (at 2 o'clock and 22 minutes p. m.) the House stood in recess until 2 o'clock and 52 minutes p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

WIDOW OF HON. CHAMP CLARK.

Mr. MANN of Illinois. Mr. Speaker, I ask for the immediate consideration of House joint resolution 480.

The SPEAKER. The gentleman from Illinois asks immediate consideration of House joint resolution 480, which the Clerk will report.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,
March 2, 1921.

House joint resolution 480, making appropriation to pay the widow of CHAMP CLARK.

Resolved, etc., That there is appropriated out of any money in the Treasury not otherwise appropriated the sum of \$7,500 to pay to the widow of CHAMP CLARK, late a Representative from the State of Missouri.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I ask for a vote on the amendment.

The SPEAKER. The question is on the motion of the gentleman from Kansas that the House recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Amendment No. 53: Page 39, line 25, strike out the words beginning in line 25, with "Provided" and ending with the word "act," in line 5 of page 40, and insert: "Provided, That hereafter the settlement of clothing accounts of enlisted men, including charges for clothing drawn in excess of clothing allowance and payments of amounts due them when they draw less than their allowance, shall be made at such periods and under such regulations as may be prescribed by the Secretary of War."

Mr. ANTHONY. Mr. Speaker, I move that we recede and concur in the Senate amendment.

The SPEAKER pro tempore (Mr. FESS). The gentleman from Kansas moves to recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 54: Page 40, line 11, insert: "The provisions of the act of February 28, 1919, relating to the issuance of uniforms to discharged enlisted men are hereby repealed: *Provided*, That such uniforms shall be issued in accordance with the provisions of said act to those enlisted men who served in the Army of the United States at any time between April 6, 1917, and January 1, 1920, whose applications therefor shall have been received at the War Department prior to July 1, 1921."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In the last line of the matter inserted by said amendment strike out "July" and insert in lieu thereof "April."

Mr. ANTHONY. I ask for a vote.

Mr. ANDERSON. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Minnesota.

Mr. ANDERSON. What is the idea of making the date April 1?

Mr. ANTHONY. The idea is to close up the matter of unfilled clothing allowances as soon as possible. There are a large number of men who are entitled to articles of clothing, who have not claimed them under the laws passed by Congress giving every man a complete outfit. It is figured that if the Quartermaster Department has to fill all the possible demands under the law it will cost us \$16,000,000 to do it. We fix an early date for the settlement of these accounts so that we can close up the books.

Mr. ANDERSON. You practically establish a statute of limitations, so that nobody can get anything.

Mr. ANTHONY. It means that any man who has slept upon his rights for two years has been to blame, and that Congress has not been to blame.

Mr. CHINDBLOM. I do not think that men who have failed to claim their allowance from the Government should be charged with having slept upon their rights. There may be very many reasons why this allowance for clothing has not been claimed. There may be men in distant parts of the country who are uninformed with reference to this matter. I want to submit to the gentleman whether a period of three months should not be given to such men who served their country to make their claims? I do not believe a very considerable number of claims will come in during those three months, and it ought not to be said that the Congress quite unceremoniously shut them off with about 25 days' notice.

Mr. ANTHONY. Our information is that most of the men who really needed articles of clothing have claimed them, but there are several hundred thousands who have not claimed them, who are largely men who do not need the clothing, who did not want to bother about it; but if they are informed of the fact that they can claim this clothing and are given a long period of time in which to do it, they may demand it of the Government, and that will require quite a large force of clerks to be kept at work filling these orders and a young department store down in the Quartermaster's Department to do that work. I think there has been so much publicity given to it that every man who really needed clothing has availed himself of the generosity of Congress.

Mr. CHINDBLOM. So far there has been no intimation that the right to claim this clothing would terminate at any particular time, but now we are terminating it in less than 30 days.

Mr. ANTHONY. Does not the gentleman think two years is a pretty liberal time?

Mr. CHINDBLOM. Yes; but we have held out to them the expectation that there would be no limit to the time.

Mr. ANTHONY. But good business would demand, I think, that the Government clean this matter up.

Mr. CHINDBLOM. That would presume that the Government would engage in good business.

Mr. CROWTHER. What is the basis for the estimate that it will cost \$16,000,000?

Mr. ANTHONY. That estimate is based on the number of men who have so far failed to claim certain articles to which they would be entitled. It is estimated that it will require \$16,000,000 additional appropriations in this bill if they all demand everything to which they are entitled.

Mr. CROWTHER. To provide equipment for such as have the right to demand it?

Mr. ANTHONY. Yes.

Mr. SMITH of Idaho. Mr. Speaker, was there any such limitation placed upon the soldiers after the Civil War?

Mr. STEPHENS of Ohio. They did not get anything of this kind.

Mr. SMITH of Idaho. They received certain allowances for clothing.

Mr. ANTHONY. I think they were given the uniforms with which they left the field.

Mr. STEPHENS of Ohio. That is all.

Mr. ANTHONY. I do not think they were given complete outfits. This is an unprecedented action on the part of Congress, and in most cases was entirely gratuitous and unnecessary and a willful waste of the public money.

Mr. SMITH of Idaho. A great many ex-service men, scattered in remote sections of the country, are unable to get information with reference to their rights. Many of them do not see papers, and I am inclined to think you will work great injustice to many worthy ex-service men if this limitation as to clothing allowance is placed in the bill.

Mr. ANTHONY. I think most of them know about it.

Mr. CROWTHER. Is it not true that there are millions of these various things that belong to these men that are now stored in the great storage warehouses of this Government, and that there is \$16,000,000 worth of olive-drab melton in the Boston warehouse with which to make uniforms? Is there not

plenty of material on hand, so that the cost to the Government will not be so great?

Mr. ANTHONY. No; there is a great shortage of uniforms made up, and we are appropriating money for that purpose in this bill.

Mr. CHINDELOM. Mr. Speaker, I move to amend the amendment submitted by the gentleman from Kansas by striking out the word "April" and inserting the word "June."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CHINDELOM moves to amend the amendment by striking out the word "April" and inserting in lieu thereof the word "June."

The SPEAKER pro tempore (Mr. Fess). The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. CHINDELOM) there were—ayes 8, noes 13.

So the amendment to the amendment was rejected.

Mr. CHINDELOM. Mr. Speaker, I make the preferential motion to recede and concur in the Senate amendment.

Mr. BANKHEAD. Will the gentleman yield to me; I want a little time?

Mr. ANTHONY. I will yield to the gentleman from Alabama five minutes.

Mr. BANKHEAD. Mr. Speaker, it occurs to me that probably the conference committee has been led into a misapprehension as to the existing law on this proposition with reference to the right of soldiers to have uniforms issued to them and their right to wear them. I feel that if the gentleman's attention had been called to the provisions of section 8 of the last annual naval appropriation bill, approved June, 1920, the conferees would have reached a different conclusion on this proposition. This amendment seeks to repeal the act approved February 28, 1919, which was amendatory of the provisions of the national defense act with reference to the wearing of uniforms by men who had been discharged from the service. If the gentleman has before him a copy of the act approved February 28, 1919, he will see—

Mr. ANTHONY. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. ANTHONY. The gentleman does not contend that we are trying to legislate in reference to the wearing of the uniform.

Mr. BANKHEAD. That is exactly what you are doing.

Mr. ANTHONY. No; we seek to repeal so much of the act as relates to the issuing of the uniform.

Mr. BANKHEAD. If the gentleman will take the first section of the act he is repealing, he will see that he can not repeal the portion of the act with reference to the issuance of uniforms without repealing the whole business. The law is so interwoven that if you repeal the part with reference to the issuance of the uniform you destroy and leave incoherent the remainder. If this amendment is adopted—and I think the chairman will agree with me—you are repealing an act which is the only law authorizing the ex-service men to wear uniforms issued to them on their discharge from the service. The naval appropriation bill of 1920 repealed all of this act that you are seeking to repeal, and I introduced at this session, after a conference with the leader of the majority, the gentleman from Wyoming, a resolution to restore the provisions of this very act of February 28, 1919, which would restore to the ex-service men the privilege of wearing a uniform issued by the Government. As a matter of fact, that law is now repealed by the provisions of section 8 of the last naval appropriation bill. I do not see the chairman of the Naval Affairs Committee here, but we investigated it and the resolution I introduced had the unanimous approval of the Naval Committee. I thought it proper to call the attention of the chairman of the committee to that proposition, because if the law goes into effect as is now presented in this amendment you are subjecting every ex-service man in the country to punishment for wearing a uniform except on strictly ceremonious occasions. In fact, there are ex-service men now under arrest for wearing a uniform which the act of February 28 gave them the right to enjoy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BANKHEAD. I would like three minutes more. This is a very important matter and I regret very much that I was absent from the city when the Unanimous Consent Calendar was called up.

Mr. ANTHONY. I yield the gentleman three minutes more.

Mr. BANKHEAD. I was out of town on account of a death in my family when the calendar was called, and that resolution went off upon somebody's objection. I feel sure that if we could have reached that bill on the calendar it would have received practically the unanimous support of every Member of the House, because the resolution introduced restores the status

that these men enjoyed under the provisions of the act you are now seeking to repeal. It seems to me before you write that into law it should have the serious attention of Members of the House.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois to recede and concur.

The question was taken, and the motion was rejected.

The SPEAKER pro tempore. The question now is on the motion to recede and concur with an amendment.

The question was taken, and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 70: Page 52, line 11, after the figures "\$3,000,000," insert "to remain available until December 31, 1922."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in this amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 71: Page 63, line 6, after the word "Provided," insert: "That not to exceed \$7,000,000 of the funds heretofore appropriated for inland and port storage and shipping facilities shall be available for obligation on and after July 1, 1921: *Provided further*, That no part of the appropriations for inland and port storage and shipping facilities available for the fiscal year 1922 shall be available for the payment of clerical services pertaining to the activities of the Quartermaster Corps in the District of Columbia or elsewhere: *Provided further*."

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 84: Page 63, line 18, insert:

"NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

"For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, \$10,000."

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 104. Page 71, line 21, insert: "That in the Army of the United States the grade of lieutenant general is hereby revived, and the President is hereby authorized, in his discretion, and by and with the advice and consent of the Senate, to appoint to said grade two general officers, who, prior to the close of hostilities, especially distinguished themselves in command of field armies in the American Expeditionary Forces; and the officers appointed under the foregoing authorization shall have the pay prescribed by section 24 of the act of Congress approved July 15, 1870, and such allowances as the President shall deem appropriate: *Provided*, That no more than two appointments to office shall be made under the terms of this paragraph."

Mr. ANTHONY. Mr. Speaker, this is the Senate amendment which seeks to create the grade of lieutenant general and appoint two officers of distinguished service to that position in the Regular Establishment. I move that the House further insist upon its disagreement to the Senate amendment.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BLANTON. What is the purpose of prescribing the salary that they shall receive by veiling it by a reference to some old law? Why is it not put into the bill so that everyone will understand what he is voting for?

Mr. ANTHONY. Because that old law fixes the pay for the lieutenant general.

Mr. BLANTON. Is the gentleman in favor of this proposition?

Mr. ANTHONY. I am in favor of the proposition at the proper time, but I do not think it is the proper time in which to pass it now or to include it in this bill. I have moved that the House further insist upon its disagreement to the Senate amendment.

Mr. MONDELL. Mr. Speaker, will the gentleman yield me five minutes?

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I think there is no difference of opinion either in the House or in the country with regard to the splendid character of the services rendered by the men who would be promoted if this Senate amendment were to be agreed to. I am of the opinion, however, after talking with quite a goodly number of gentlemen on both sides of the House, that the House is not prepared at this time to pass affirmatively upon this matter. There are many reasons why this is not the time or the place for legislation of this character. This is an appropriation bill. A provision of this kind does not belong on an appropriation bill. There are many questions to be considered in connection with the matter of promoting and recognizing the services of our faithful, gallant, and distinguished leaders in the Great War. I am very much in hopes that without overmuch discussion of the matter at this time, at least without discussion that might disparage the services of anyone, the House will agree to the formal motion which the gentleman from Kansas has made.

I can not say what will occur in case that motion is agreed to, but my opinion is, if the bill be returned to the Senate with the formal motion to disagree to the Senate amendment, that the Senate would yield and the item would go out of the bill, leaving this question and all questions like it and related to it to be determined at a later date. I hope that may be done. We can easily get into a more or less heated and more or less acrimonious discussion of the question involved and of collateral questions, but at the end of it I do not believe the House in its present temper would agree to the promotions suggested or to any amended provision. On the other hand, if the matter is left for settlement and determination at some future time, an agreement can, I believe, be reached that will fully recognize and do justice and honor to the distinguished services rendered by the gallant commanders of our armies overseas.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I want to say only this. I am not going to vote to give another single extra nickel or to confer another single honor upon any man in the Army, which brought victory back home from France, until something is done for the private soldier who fought in the trenches. That is all I have to say.

Mr. CRAGO. Mr. Speaker, I make the preferential motion that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. CRAGO].

Mr. CRAGO. Mr. Speaker, I agree with everything that has been said along the line that this is not the proper place for this legislation, but in my opinion it is the only place where we can secure any legislation providing recognition for these distinguished generals of our Army during this session of Congress. I call attention to the fact that Gen. Liggett retires before the next Congress meets. I do not want to take any action of this kind at the expense of any man who served in our Army, and I do think in doing this grateful act of justice to these distinguished leaders we are not detracting or taking away one penny or any right of the enlisted man. I would not stand for any legislation of any kind which would prevent doing our full duty by every man who served in the Army, but I call attention to the fact that we have been very lax in recognition of the men who led our armies in the World War, more so than any of the other countries allied with us. Even the countries to whom we are furnishing financial assistance are going ahead recognizing the work done by their great leaders of men. France only the other day created three new marshals in her army, and one of those men, a man who served in the provinces, merely keeping order in one of her provinces, never near the battle line. How different that is from the remarks we heard here concerning the distinguished man who stood at the head of the civilian help of our country in this great conflict and whose recognition would have been merely a recognition of the loyalty and patriotism and determination of the men of the draft boards and of every one of the activities engaged in the war work back home, recognition of the fact that all of war does not consist of service on the battle field.

In regard to this particular bill I desire to call the attention of the House to the fact that there was a time during the period of our war when it was gloomy and dark and we would do almost anything to win victory; a period when England and France, as they expressed it, "had their backs to the wall," when our men were over there by the hundreds of thousands, and the high command said to Gen. Pershing, "You have never had an

American Army since the Civil War. You can not make a field army function; you have not the men here who have been trained in the work. Turn over to the French Army and to the English Army your men, your units, your organizations, let them fight with the French Army and with the English Army." Gen. Pershing stood out against this advice and refused the demands of the council of high command and refused to have American soldiers fight in any army except an American Army. [Applause.] We applauded him for that. We applauded the President of the United States for backing him up in his position in regard to that matter. What happened? Gen. Pershing himself formed the First Army and commanded it. When he formed the Second Army he put Gen. Liggett in command of the First Army and Gen. Bullard in command of the Second Army, and when he formed the Third Army Gen. Dickman was placed in command of that. Now, those three men, and the brave men under them, with Gen. Pershing in supreme command, made it possible for our Army to properly function in France; and I say we are only giving a proper recognition to every man who fought in the ranks and to every subordinate officer and every man all along the line when we say to these men, "For your distinguished services Congress gladly offers you this token of a Nation's gratitude." [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield five minutes to the gentleman from Illinois [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Speaker and gentlemen of the House, this matter, in my judgment, is a very important one, and it is of such a character that we ought not to act upon it without being familiar with all the facts in connection with it. In the first place, this proposes to give the grade and rank of lieutenant general on the active list in our Army in peace time. As a matter of fact, from the manner in which our Army is organized there is no place for a lieutenant general in peace time. And that is a matter that ought to be taken into consideration. Furthermore, at no time in the history of our country have we ever had more than one officer enjoying this grade on the active list in time of peace. After the Spanish-American War there were a number of general officers given this honor, but no more than one of them enjoyed it at a particular time. Now, what does this amendment propose to do?

It proposes to take Gen. Liggett, who retires now in a very few days, a most excellent officer, a man who is entitled to every honor we can give him, but it is not necessary to go the full length at this time without consideration and put him on the active list of our Army as a lieutenant general in time of peace. But it does not stop there. It proposes to go down the line of major generals and pass over such men as Gen. Dickman, who retires in October next; it passes over Gen. John F. Morrison, Gen. Enoch Crowder, and over Gen. Leonard Wood—four great generals in our Army who will all retire prior to the date of the retirement of Gen. Bullard. Gen. Bullard is one of the great officers of our Army. I have not a word to say against him, but he does not retire until 1925, and I simply ask the question, Why is it that it is proposed to pass over the heads of men like Gens. Dickman, Leonard Wood, Morrison, and Crowder, all great generals, and put Gen. Bullard along with Gen. Liggett at this time when he does not retire until 1925? I want to say to the gentlemen of the House that we ought not to concur in the motion of the gentleman from Pennsylvania. I have here before me the record of a number of distinguished generals of our Army. Among them is Gen. John L. Hines, a man who as major general, when the line was broken over in France, went up and down the line through heavy artillery fire and machine-gun fire steadying his men and getting the boys together. He walked up and down the line between the Sixteenth and Twenty-sixth Regiments of Infantry, if I remember the numbers correctly, but that general is passed over in this proposal. We ought to take up the matter of recognition of the services of the great generals of our Army and consider them together and discuss the matter in a dispassionate and patriotic way and show that we are trying to do something for the men of the Army as a whole, considering all the great officers of our Army, and not pick out in the closing hours of the session even a great general like Liggett, who retires in a few days, and couple him up with Gen. Bullard, who does not retire until 1925, and give them special consideration. So I hope that the motion of the gentleman from Pennsylvania will be voted down and that the motion of the gentleman from Kansas be concurred in. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield three minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker and gentlemen of the House, my objection to this particular amendment is based on the wording of

the amendment. I think it is most unfortunate that there should be any distinction made between generals who were in command of fighting units and generals of the S. O. S. or supply, whether in the supply department in France or in this country.

Now, if you will analyze the casualties among the generals in our Army you will find that not a single general was killed in action, and therefore I think it is unfortunate for us to make an invidious distinction between generals in command of fighting forces and, for example, Gen. Crowder and Gen. Wood in this country.

Mr. HICKS. Will the gentleman yield for a question?

Mr. FISH. I will.

Mr. HICKS. Is it not a fact that Gen. Bullard and Gen. Liggett were the only two generals in command of armies?

Mr. FISH. Gen. Bullard's name and Gen. Liggett's name are not mentioned in this amendment. My point is simply this, that it is unfortunate that there should be any distinction. If you want to make a distinction and a proper one, make it between the doughboys who fought in the front line and the doughboys who were not fortunate enough to be ordered overseas, but not between generals who did not incur the same risk as the enlisted personnel and company officers. I believe in promoting and rewarding our distinguished generals, but this is neither the proper time nor method of doing so.

Mr. ANTHONY. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. CRAIG] to recede and concur.

Mr. JOHNSON of Mississippi. Mr. Speaker, what is the motion. I just came in. I ask that it be reported.

The SPEAKER pro tempore. The Clerk will again report the amendment.

The amendment No. 104 was again reported.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. CRAIG] to recede and concur.

The question was taken and the motion was rejected.

The SPEAKER pro tempore. The vote is now on the motion of the gentleman from Kansas [Mr. ANTHONY] to insist on disagreement to the Senate amendment.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 117, noes 6.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 105, page 72, line 8, insert: "That in the cases of officers then in the Army who were nominated to the Senate by the President for brevet commissions for service during the War with Spain, Philippine insurrection, or the China Relief Expedition for extraordinary heroism or gallantry in action or especially meritorious services, such as to justify the award of the distinguished service cross or the distinguished service medal provided for in the act of July 9, 1918, such cases may be considered and acted on under the provisions of said act, notwithstanding that such recommendations may have been made more than three years before said cases shall have been considered as authorized by said act, but all consideration of, and action upon, any such case shall be based exclusively on official records of the War Department."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment. I would like to make the statement that when the war with Spain was fought, and the Philippine insurrection, and the Chinese relief expedition, the Army had no distinguished service cross or medal. In those wars there were men of our Army who performed just as distinguished service, participated in just as heroic actions, as the soldiers of any other war. The only recognition that came to them for this was their nomination by the President for a brevet rank, which they never received, although mentioned in orders for distinguished conduct, and which now would entitle them to the distinguished service cross or distinguished service medal. There are about 300 of these men, and the conferees felt it would be the proper thing to do to award them the ribbon at this time.

I yield to the gentleman from New York [Mr. FISH] three minutes.

Mr. FISH. Mr. Speaker, at the end of the three minutes I want to make a preferential motion that the House do not concur in the Senate amendment.

This amendment provides that the officers in the Army at the time of the Philippine insurrection and the Spanish War should be awarded distinguished service crosses. As every Member of this House knows, there has been a great abuse during this war in the awarding of medals. There is not a Member of this House that does not realize that there have been

complaints from the enlisted personnel that they have been overlooked. And, as an officer in the war, and as an officer who has been decorated and therefore has no grievance, I am absolutely opposed to this amendment. What are we proposing to do? We are proposing by this amendment to give 300 officers, and no enlisted men, of the Spanish War decorations, if I read this amendment right.

Mr. ANTHONY. Will the gentleman yield?

Mr. FISH. I certainly will yield.

Mr. ANTHONY. I want to call to the gentleman's attention that during the Spanish War the law permitted the enlisted man who rendered distinguished service to receive what was called a certificate of merit. There was no reward open to the officer except the congressional medal of honor, which can only be given in exceptional cases. So that an officer of that war was deprived of any recognition, whereas the enlisted man did receive it in a certificate of merit.

Mr. FISH. That may be the case. But this is absolutely an improper time and method of bringing this amendment up, unless we are going into the consideration of the cases of the enlisted men. Undoubtedly there are a number of enlisted men who are qualified to receive these decorations. I believe that there were less men killed in the occupation of Cuba than there were on November 11, on armistice day.

Now you come in here and ask for 300 distinguished service medals for officers of that war. I believe this should go over until the next session of Congress. I might be very glad to vote for such a bill, but not until the enlisted men have had their day in court. I speak that way because I had a cousin, a sergeant in the Rough Riders, who was the first man killed in the Spanish War, and I want those men to have the same consideration and their families the same consideration, to secure a distinguished service cross, as Regular Army officers.

Mr. McKENZIE. Will the gentleman yield for one minute?

Mr. FISH. Will the gentleman from Kansas allow me two or three more minutes?

Mr. ANTHONY. I yield two minutes more to the gentleman.

Mr. McKENZIE. Will the gentleman yield?

Mr. FISH. I yield.

Mr. McKENZIE. I would like to ask the gentleman from New York if he does not believe that an officer who served in the Spanish-American War or in the Philippine insurrection and rendered such service as would entitle an officer in the late war to this honor, the officer who served in the Spanish War or Philippine insurrection should have the same consideration at the hands of his Government as the officer who served in the late war?

Mr. FISH. I most certainly do.

Mr. McKENZIE. That is all there is to it.

Mr. FISH. I hope they will get it. At the same time, if you pass this legislation you are going to preclude the enlisted men, and I want to see them come in and get consideration.

Mr. GREENE of Vermont. I quite sympathize with the gentleman's views, but the law at that time provided that the enlisted man could get his, but the honor that came to the officer was a brevet rank. And so for the same service for which he now gets a cross he got a brevet rank then. But under the law it was necessary for those nominated for brevet rank to be confirmed by the Senate, and the nominations were sent in at such a late date that the confirmations failed.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I am opposed to this motion and make a substitute motion that we disagree to the Senate amendment.

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCLINTIC. I want to ask the chairman a question.

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. McCLINTIC. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McCLINTIC. Has the chairman of this subcommittee taken into consideration the possibility that there might be some who have since died who were entitled to this consideration, and that probably the heirs of those would be glad to obtain these medals?

Mr. ANTHONY. I think that is barely possible. But we were advised by the War Department that this language covers only the names of those officers who had been nominated by the President and whose nominations had been sent to the Senate immediately following those wars.

Mr. McCLINTIC. I take it that there were some whose names were sent to the Senate who have since died. If that

is true, it seems to me the heirs of those would be glad to receive a medal.

Mr. ANTHONY. I think, under the law governing the distribution of medals and distinguished service stars and distinguished service medals, if the soldier dies his family is entitled to receive it and does receive it.

Mr. MCCLINTIC. Would it not be better to insert a provision that the heirs of a deceased officer entitled to this under the act shall receive it?

Mr. ANTHONY. I am quite sure that the general law now makes such provision.

Mr. MCCLINTIC. Upon that assurance of the chairman, I will be content.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MANN of Illinois. Why does not this amendment make provision for granting distinguished service medals to volunteer officers of the Spanish-American War?

Mr. ANTHONY. I do not know whether any brevet rank was granted to volunteer officers, but I presume it was not.

Mr. MANN of Illinois. There are many of them.

Mr. ANTHONY. We have volunteer officers who served in that war in the House. Among them is Col. CRAIG. He tells me they were not given them.

Mr. MANN of Illinois. Yes. That is the "nigger in the woodpile." This having been prepared to benefit a few officers of the Regular Army, it reads, "In cases of officers of the Army who were nominated in the Senate for brevet commissions for service during the war." My impression is that the law allows the President to confer brevet commissions on the volunteer officers without nominating them to the Senate.

Mr. CRAIG. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CRAIG. The fact is that in 1898 and in 1899 the Volunteer officers serving were commissioned by the governors of the States, so that they could not, of course, come under the provisions of that act. I have my commission yet.

Mr. GREENE of Vermont. Yes. But you will find that on the face of it it says you were commissioned in the Federal service. That was done to obviate the labor of first commissioning an officer by the State and then later by the Federal Government.

Mr. CRAIG. But the gentleman will not say that those officers were nominated to the Senate and confirmed by the Senate?

Mr. GREENE of Vermont. Oh, no. But it was not a State commission.

Mr. MANN of Illinois. This applies only to officers of the Regular Army—at least, that is my impression—who served in the Spanish-American War and excludes Volunteer officers who served in the same war.

Mr. ANTHONY. I think the gentleman must be mistaken. I do not think there would be any attempt on anybody's part to exclude a Volunteer officer.

Mr. MANN of Illinois. I think not, too. But the attempt was to take care of the officers of the Regular Army, and whoever drew this amendment was a Regular Army officer who was not interested in the gentlemen who served in the Spanish-American War as Volunteers and had been out of the service for many years. He was interested in getting a distinguished service medal for himself.

Mr. ANTHONY. I think what the gentleman says is quite true. At the time these nominations were made to the Senate most of the Volunteer officers in the Spanish-American War had been mustered out. But among these 300 officers whose nominations were sent to the Senate by the President were a number of Volunteer officers, quite a large number of them, who had remained in the service. We took hundreds of Volunteer officers into the Regular Army.

Mr. MANN of Illinois. Well, I do not know what the facts are; and that leads me to believe that they, having waited 20 years or more, we might wait a few moments longer until somebody did know.

Mr. ANTHONY. The committee had in mind some 300 distinguished officers whose nominations for brevet rank had been sent to the Senate and who failed of confirmation. We thought it was the decent and proper thing to do to give them this recognition.

Mr. MANN of Illinois. We are here a long time after the Spanish-American War closed. Has any bill ever been introduced on this subject?

Mr. ANTHONY. A bill is now pending in the Committee on Military Affairs of the House, introduced by the gentleman

from Washington [Mr. MILLER], who has been very urgent in trying to get it reported and brought before the House.

Mr. MANN of Illinois. Is that an argument in favor of it, that the Committee on Military Affairs would not report it favorably?

Mr. ANTHONY. The Committee on Military Affairs, as I understand, have failed to take action because they would have no show whatever to bring the bill onto the floor.

Mr. MANN of Illinois. Oh, well, that is not the case. Of course, if the gentleman from Washington introduced it yesterday, it would not have very much show.

Mr. ANTHONY. No; it has been pending for some time.

Mr. MANN of Illinois. The Committee on Military Affairs is now the committee on call on Calendar Wednesday. Until last week Calendar Wednesday came up every week, and the Committee on Military Affairs on any Wednesday for the last two months could have called up such a bill for consideration in the House.

Mr. GREENE of Vermont. If the gentleman will permit me, of course I am not authorized to speak for the entire Committee on Military Affairs, but I am advised somewhat as to the state of the business of that committee. There were other matters which seemed to the committee to be of more pressing importance, and that more insistently demanded immediate consideration; but that, of course, ought not to prejudice and does not prejudice the merits of this particular bill.

Mr. ANTHONY. Of course, the gentleman knows we have not had any Calendar Wednesday since December 15.

Mr. MANN of Illinois. I know that any member of the Committee on Military Affairs could have objected to dispensing with Calendar Wednesday by unanimous consent, and if any Member had desired the consideration of any bill on the calendar he could have had his day. The fact is that Calendar Wednesday was dispensed with principally because the Committee on Military Affairs called up a claims bill which the House did not want to vote for and did not want to vote down.

Mr. MCKENZIE. The gentleman does not mean to charge that the Committee on Military Affairs are obstructionists?

Mr. MANN of Illinois. They are obstructionists in this case, because the gentleman from Kansas [Mr. ANTHONY] is trying to put through the House now a provision relating to a matter 22 years old, and says it is pending before the Committee on Military Affairs and therefore ought to be passed by the House now, the Committee on Military Affairs having obstructed its report to the House.

Mr. ANTHONY. Will the gentleman yield, just to allow me to convey the information that the gentleman from Kansas is not trying to put anything through the House. As conferees we accepted this amendment pressed upon us by the Senate, because we recognized that it had merit in it.

Mr. MANN of Illinois. As a conferee the gentleman could not accept it under the rules of the House, and the conferees have not accepted it.

Mr. ANTHONY. It is a meritorious piece of legislation, and as such the conferees indorsed it.

Mr. MANN of Illinois. As I say, you are trying to put it through the House, and I expect you will succeed, because under the new rule all you have to do is to move to recede and concur, and the House votes to do it.

Mr. FISH. There is an unfortunate feeling now among the reserve officers and National Guard officers to the effect that of the decorations handed out in this war the Regular Army got 50 per cent, whereas they represented only 5 per cent of the officers in our entire Army. Out of 210,000 officers there were less than 10,000 Regulars, yet they got 50 per cent of the decorations handed out to the officers of this war. I think we could well afford to vote this down and bring it up in proper course, where we could decorate the ones who merited it, and also the volunteer officers and soldiers of the Spanish War.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kansas.

The question being taken, the motion was rejected.

Mr. MANN of Illinois. I move that the House further insist on its disagreement to the amendment.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House further insist.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 106: Page 72, line 22, insert: "For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and

every purpose connected therewith, for an increased water supply for the District of Columbia, in accordance with Potomac project 'E,' described in the report submitted by Maj. M. C. Tyler, Corps of Engineers, \$200,000, to be immediately available and to remain available until expended."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate No. 106, and agree to the same with an amendment as follows: After the word "expended," in the last line of the matter inserted by said amendment, insert: "Provided, That 60 per cent of this sum shall be paid from the revenues of the District of Columbia and 40 per cent from the Treasury of the United States."

Mr. MAPES. Mr. Speaker, I wish to present a motion.

Mr. ANTHONY. Let me make a statement first. This amendment appropriates \$200,000 to be paid on a 60-40 basis for the purpose of inaugurating the work of increasing the water supply of the District of Columbia.

The conferees had some doubts about the propriety of an amendment of this kind appearing on the Army appropriation bill until they were shown that the initial legislation providing for the present water supply of the District originated on an Army appropriation bill when Jefferson Davis was Secretary of War.

The statement has been made that if this second tunnel or conduit for bringing additional water from the Great Falls to the city is constructed, instead of a pipe line which other engineers have proposed, it will prevent the utilization of the falls for power purposes.

The conferees investigated that criticism very carefully, and we have the assurance of Col. Kutz, engineer officer of the District, and of Secretary of War Baker, who sat on a board which investigated this matter, and others, that there is no basis for such contention, and the conferees submit the proposition for the consideration of the House.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. BLANTON. This initial expenditure of \$200,000 is going to result in an expenditure of how much?

Mr. ANTHONY. About \$9,000,000.

Mr. BLANTON. This is the beginning of quite an expensive end.

Mr. ANTHONY. This is the beginning of the work. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, this seems to me to forcibly illustrate the danger that is likely to result from legislation by riders on appropriation bills. Here is one of the most important propositions that could be raised, as far as the District of Columbia is concerned, and before the House takes any action upon it I think it ought to know what it is doing or at least it ought to know that it does not know what it is doing.

It has never been considered by any legislative committee. The Engineers of the Army made a report a short time ago on the subject, but it is not yet available for the membership of the House. A few days ago the Senate ordered it printed as a Senate document, but it has not been delivered from the Public Printer, and I have been trying ever since I understood that the conferees were going to make this motion to get a copy of the report, but I have been unable to do so. I submit, without fear of successful contradiction, that there is not a Member of this House who has read the report of the Army Engineers. Certainly no committee of the House and no committee of the Senate has considered the proposition or considered any bill pertaining to it.

This is an amendment put on in the Senate to this appropriation bill, and as was said here the other day in regard to another matter it was put on because a Senator asked for it, and he happens to be a member of the conference committee. It ought not to be agreed to until the House knows what it is. If we adopt this amendment we will be putting ourselves in the same position we are in in regard to Muscle Shoals. This provides an appropriation of \$200,000 to start the project, and if we pass it we are irrevocably committed to the project. The gentleman from Kansas says it may cost \$9,000,000. Yes; and it may cost \$100,000,000. No one knows.

Mr. MADDEN. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. MADDEN. Does the gentleman concede the necessity of an additional water supply for the District of Columbia?

Mr. MAPES. I do not concede it; I do not know. I know that we have had more people in the District of Columbia in the last two years than we have now, and we got along very nicely.

If we let this go over, Congress reconvenes in a few weeks and can take it up in an orderly manner. There is no need of getting hysterical about it, as the gentleman from Illinois [Mr. MANN] said a few minutes ago in regard to the last amendment we voted on. We have gone along for a good many years without doing anything about the proposition, and it seems to me that we can go on for 15 minutes longer without taking this important action until it is properly considered. Congress will be back here in four or five weeks, and if this matter is important it can be referred to the regular committee and be reported back and acted upon intelligently. We ought not to embark on a proposition costing \$9,000,000 and perhaps \$100,000,000 without ever being considered by a legislative committee.

Mr. SNYDER. Will the gentleman yield to me to make a motion on a conference report?

Mr. ANTHONY. I will yield to the gentleman from New York for that purpose.

CLAIMS OF THE CHOCTAW, CHICKASAW, CHEROKEE, CREEK, AND SEMINOLE INDIANS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10105, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 10105. An act conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes.

The SPEAKER pro tempore. The gentleman asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, I do not think it is necessary to say it, but I hope the conferees will not agree to the amendment which may involve the country in an expense of many million dollars that has no connection with the original bill. I have such faith in the conferees that I will not object.

Mr. GARD. Reserving the right to object, what is the gentleman's request?

Mr. SNYDER. Simply to disagree to the Senate amendments and ask for a conference.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore appointed the following conferees: Mr. SNYDER, Mr. CAMPBELL of Kansas, and Mr. CARTER.

CONFERENCE REPORT ON ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I yield to the gentleman from Michigan five additional minutes.

Mr. MAPES. Mr. Speaker, the gentleman from Kansas called attention to the fact that this was a rider affecting the District of Columbia upon an Army appropriation bill. It is doubly objectionable. First, it is a rider on the wrong appropriation bill; and, secondly, it is a rider affecting a very vital situation here in the District, which ought not to be passed upon any appropriation bill. The statement was made that this would not interfere with the development of the Great Falls power proposition. I do not know where gentlemen get their information, but I have a statement here appearing this morning in the Washington Herald, made by an eminent engineer, who says that there is no question but what it will interfere with the Great Falls power proposition. I submit that we ought to wait until a committee of the House and a committee of the Senate have had a chance to investigate on their own responsibility and find out whether that is true or not.

Mr. MADDEN. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. MADDEN. Does the gentleman think it would make any difference whether it interfered with the Great Falls water-power project or not? The most important thing in the world is the water supply to the human beings who live in the community, regardless of the fact that it might interfere with the Great Falls water-power project.

Mr. MAPES. I have no knowledge of any shortage of water here in the District of Columbia that would require any such hasty action as this.

We have gotten along very nicely for a good many years with the present facilities; we have gotten along the last two or three years, when there were more people in the District of Columbia than there will be again in a great many years to come.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MAPES. I am sorry, but I have only a short time, and I can not yield. I call the attention of the House to the report of this engineer who has investigated this matter. He says:

It is not commonly known that the proposed appropriation of \$200,000 for preliminary work under the Tyler plan is an effort to commit the Congress to a scheme that will prohibit the construction of an efficient power development on the Potomac River.

If another tunnel is built at an elevation of 30 feet above the present one it will prevent a dam from being built at Great Falls. If the purpose is to get an additional supply of water for the District, a water main could be laid at one-tenth the cost and in one-fourth the time it would take to construct another tunnel.

A water main could be adapted or changed to conform to any dam location, but a tunnel once built will be a permanent barrier to any efficient power development.

There is the statement of an engineer. I do not know whether he is correct or the other people are correct, but I do know that we ought not to pass legislation of this importance upon an appropriation bill when the conferees have not seen the report upon which it is based, nor has any Member of the House.

Mr. Speaker, I desire to move that the House further insist upon the disagreement to Senate amendment No. 106.

The SPEAKER pro tempore. That motion is not in order at this time.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. ZIEHLMAN].

Mr. ZIEHLMAN. Mr. Speaker, I consider this one of the most important propositions brought in on this bill. I take issue with the statements that have been made by the gentleman from Michigan [Mr. MAPES]. This matter has been before Congress for 20 years. Away back in 1906 Congress appointed a commission to study sources of additional water supply for the District of Columbia, and there has been spent in investigations the sum of \$33,000. Last year during the last session of the present Congress we appropriated \$25,000 additional and authorized the water-power commission to make an investigation of the sources of additional supply, and this commission has made its report, based upon the findings of the Army engineers, and two propositions are submitted to Congress, one for an additional source of water supply and the other a water-power project. The Army engineers who investigated this matter agreed unanimously that the two should be separated, that the taking up of one proposition will not in any way endanger the other, and in that finding of the Army engineers the water-power commission, consisting of three members of the Cabinet, unanimously agree.

This proposition involves an expenditure of \$200,000 for initial work on this project as outlined in the report of Maj. Tyler. The city of Washington at the present time is dependent for its water supply upon a single conduit built 60 years ago. The distinguished gentleman from Michigan [Mr. MAPES], who is in favor of waiting awhile before taking up this proposition, makes the statement here that the water supply of the District has not been endangered. I agree with his statement in so far as that there have not been any evidences of water famine, but the facts are that the safe dependable water supply of the District of Columbia through the present conduit system is about 68,000,000 gallons per day. During the heated term last summer water was used to as high an amount as 75,000,000 gallons a day, while the present conduit system can not bring down more than 68,000,000 gallons a day as a supply upon which we can depend.

The Army engineers in charge of the conduit can not clear it of water for more than two days at a time, and it is therefore absolutely impossible to make repairs when needed. Therefore the city of Washington is dependent entirely upon a single source of supply. The need for increasing this supply has been apparent for years. Congress has attempted to deal with it by securing the very best technical advice upon the subject. The report of these Army engineers is now before Congress, and we are asked to make an initial appropriation of \$200,000.

Mr. CHINDELOM. Mr. Speaker, will the gentleman yield?

Mr. ZIEHLMAN. Yes.

Mr. CHINDELOM. If this work is done, may we hope that it will be unnecessary to press the bill to compel the Government to pay for water used in the District of Columbia, as I believe is contemplated by some bill introduced here?

Mr. ZIEHLMAN. I would say that if a source of additional supply is found, it will be unnecessary to take drastic steps to conserve the present supply, although the per capita consumption is greater than it should be. I introduced the resolution to which the gentleman refers.

Mr. RICKETTS. The same source of supply was in use during the period of the war, covering two years.

Mr. ZIEHLMAN. Away back in 1905 we were using about 65,000,000 gallons of water per day. During the peak of the

war-time influx of population we were able by metering the Government establishments and by conserving water and repairing leaks to maintain that usage of 65,000,000 gallons a day.

Mr. RICKETTS. There were a great many more people in Washington then than there are now.

The SPEAKER pro tempore. The time of the gentleman from Maryland has expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Speaker, I am in sympathy with what the chairman of the Legislative Committee on the District of Columbia has to say about legislation going on an appropriation bill. Of course we did not put this legislation here, but there is a portion of this property which is not directly under the jurisdiction of the District of Columbia and which never has been. All of the water supply was originally a plan of the War Department to supply water primarily to the Government. There have been various changes made from time to time in respect to the method of permitting the citizens of the District of Columbia to use this water, but of late years legislative provision after legislative provision has gone onto the District of Columbia appropriation bill until the water system is maintained out of the District revenues, but the title to all of this property is in the War Department, and as was said by the gentleman from Kansas [Mr. ANTHONY], the chairman of this conference committee, the whole water supply was instituted by the War Department and all of this conduit was made by it.

Mr. JOHNSON of Kentucky. Mr. Speaker, does the gentleman mean to say that the water mains laid throughout the District of Columbia belong to the United States Government?

Mr. Sisson. No; the water-supply system.

Mr. JOHNSON of Kentucky. The gentleman made a mistake.

Mr. Sisson. The mains were originally laid, that is the conduit main, by the War Department.

Mr. MADDEN. Just the conduit?

Mr. Sisson. Yes; and the ancillary, or smaller mains, were originally charged up to the property owners of the District of Columbia, but I do not want to go into that at this time.

Now, this, in my judgment, might properly go upon the Army bill. I think, as a matter of fact, it might go upon a Regular Army bill just as logically as it could go on a District of Columbia legislative bill. I think either committee that the Speaker might refer this matter to would have jurisdiction of it. Now, as to the question whether this ought to have gone on this appropriation bill, not the Army legislative bill, but this appropriation bill, it is subject to the criticism we usually get. Now, when the Senate puts these amendments on, as they contend they have the right to do, we are compelled to bring this matter back and submit it to you for your consideration. Now, so far as the information was concerned, as it was stated to you, this matter has been gone into in detail. But, mark you, this: It is more in the nature of the preparation of plans than it is for the actual beginning of work. I do not know whether I myself would be willing to commit myself to the proposition of developing water power or not, but I do know that while there is no particular alarm about the water situation, the maximum capacity is more than 68,000,000 gallons a day, but the safety point is estimated by the engineers to be 68,000,000 gallons a day, and they have gone over seventy-odd millions a day for several months during the summer season; I do not know just exactly what the greatest capacity would be, but there has been no great danger of water; in fact, you have got more than three days' supply already stored in the reservoirs throughout the territory of the District, but in my judgment this is the time to have an investigation made, because the growth of the city has been so abnormal within the last few years that the time is rapidly approaching when you have got to do this work.

Mr. STEPHENS of Ohio. Will the gentleman yield?

Mr. Sisson. I will.

Mr. STEPHENS of Ohio. Is it a fact the excessive use of water in recent times is owing to the prohibition amendment?

Mr. Sisson. Well, I am inclined to believe it reduces the consumption of water, because the morning after the man usually drinks a good deal of water, but the gentleman has had more experience than I have and therefore I will not testify as an expert.

Mr. CROWTHER. Will the gentleman yield?

Mr. Sisson. I will.

Mr. CROWTHER. Does not the gentleman think that the great danger is not in the fact that the general supply is only between sixty-eight and ninety million gallons but in the fact it is conducted in a single pipe line, and in a good water system to-day there is a double pipe line, so while they repair one they could use the other?

Mr. Sisson. This line was built under the direction of Jefferson Davis when he was Secretary of War, and as an evidence of the fact he did a magnificent job the conduit is the only portion of the water system that has given them absolutely no trouble.

Mr. CROWTHER. I agree that they did better work in those days.

Mr. SNELL. Will the gentleman yield?

Mr. Sisson. I will.

Mr. SNELL. Under the reading of the amendment, which says it is to initiate the work, if we should appropriate the \$200,000 here, does not the gentleman think we are committed to this proposition as set forth in the Tyler plan?

The SPEAKER. The time of the gentleman has expired.

Mr. Sisson. I think that is true. I would like to have two more minutes.

Mr. ANTHONY. I will yield the gentleman two minutes.

Mr. Sisson. I think that would be absolutely true.

Mr. SNELL. Then there would not be any question but what we would go on with this if we once started?

Mr. Sisson. In my judgment, when Uncle Sam puts his hand to the plow he never turns back unless we make an exception of Muscle Shoals, and I hope we will not do that, because we have put our hands to the plow and we ought not to turn back, and we will not turn back, because Mr. Weeks as Secretary of War—

Mr. SNELL. Will the gentleman yield? I want to ask one more question—

Mr. Sisson. I have the yielding—and when he becomes Secretary of War he will not only provide for Muscle Shoals properly but at the same time I believe he will be able to help handle this water supply of the District of Columbia. That is all I have to say.

Mr. ANTHONY. I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, prior to about 1860 the water supply in the District of Columbia, both for the Government and for the people, was gotten from wells, cisterns, and springs. The spring in Franklin Square furnished water for the White House. It is now an underground stream, carried away into a sewer. Commencing about 1860 the present conduit was built. It was built entirely at the expense of the Federal Government for the purpose of furnishing the official buildings with water. After water had been brought into the District of Columbia in that way the people of the District of Columbia asked permission to connect with this end of the conduit for the purpose of getting water. That was granted. More and more, year after year, has been granted. All the time the people of the District of Columbia were getting water cheaper than any other city in the world. If the people here had to pay a reasonable price for the water they get, there would be no apprehension of a scarcity; and there is no real apprehension of a scarcity. It is a well-known fact there is an abundance of water here for the District of Columbia, but there is not enough to reach out in the adjoining jurisdictions which seek to get water at the expense of the Federal Government.

Mr. RICKETTS. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. RICKETTS. Does the gentleman mean to say that the citizens of Washington are getting water free, without paying for it?

Mr. JOHNSON of Kentucky. No; but they have been paying a very small price for it.

Mr. RICKETTS. Does the gentleman know how much?

Mr. JOHNSON of Kentucky. No; I do not. Recently the price was slightly increased, and when the price was only slightly increased the consumption of water was reduced.

Mr. SNELL. Will the gentleman yield for another question?

Mr. JOHNSON of Kentucky. I will.

Mr. SNELL. How far outside are they trying to take the water at the present time?

Mr. JOHNSON of Kentucky. Into adjoining States.

Mr. SNELL. Into the State adjoining?

Mr. JOHNSON of Kentucky. Yes.

Mr. HICKS. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. HICKS. I understood the gentleman to state that the rates for water here in Washington are exceptionally low?

Mr. JOHNSON of Kentucky. Yes.

Mr. HICKS. I am surprised at that statement, for the reason that I have a house here of about the same size as my house in New York City, and the water rates here are about the same as in New York.

Mr. JOHNSON of Kentucky. The gentleman is the only man to be found in the District of Columbia that would make such a statement. There must be a leak or a mistake somewhere.

Mr. CRAMTON. I will say that my own experience is somewhat different. My own bill for all purposes connected with the House, including lawn privilege, is about \$8 a year. It is about half of what I pay for water in a small town in Michigan.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I have not the time, unless the gentleman will yield me more time.

Mr. ANTHONY. I yield three additional minutes to the gentleman.

Mr. ZIHLMAN. I know the gentleman would not wish to make a misstatement. I call his attention to the fact that the District of Columbia has \$4,000,000 invested in what they call a purification plant, which is under Government control—under control of the engineers. And I am reading now from the report of the engineer in charge. Nearly half of the cost of the present system was paid for by the District of Columbia.

Mr. JOHNSON of Kentucky. It was paid for in this way: When the people at this end of the conduit—the people of the District of Columbia—were connected, water was distributed to them, and they paid only a small charge for it, and the money they paid went to the credit of the District of Columbia, and they took that money and extended the pipe system, and now they own it. They acquired it by collecting rent for water that the Federal Government brought into the District of Columbia and almost gave to them. When this amendment was put on there was no provision except that the Federal Government should build another conduit.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Speaker, I yield to the gentleman three more minutes.

Mr. JOHNSON of Kentucky. To-day, in a private discussion among several of us here on the floor, attention was called to the fact that the District of Columbia was to get the benefit of this proposed new conduit without paying a cent for its construction. But now an amendment has been offered providing that the District of Columbia shall pay 60 per cent and the Federal Government 40 per cent of its cost. This House is on record, overwhelmingly so, several times, that the 60 per cent and the 40 per cent basis was all wrong; and yet by this amendment you wish to estop Congress in the future from arriving at a just contribution from the District of Columbia by fastening in this resolution the per cents of 60 and 40. I say that this should not be done; but whatever the Government is to contribute should be contributed under the provisions of the Mapes bill, which passed this House overwhelmingly, but which has been ignored at the other end of the Capitol in order that favoritism might be shown to the people here to the detriment of the people in the rest of the United States. I sincerely trust that this proposition may be voted down.

Mr. GARD. Will the gentleman from Kansas yield to an inquiry?

Mr. ANTHONY. I will.

Mr. GARD. I want to ask if this Potomac project "E" is a purely power project?

Mr. ANTHONY. We are informed the present project is purely a water project with power possibilities in the future.

Mr. GARD. Is there any commitment of any legislative body to this project "E"?

Mr. MAPES. I can not answer the question of the gentleman.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, I think this matter can be stated in a few general propositions. First, it is necessary to enlarge the water supply of the District of Columbia. The present water supply flows through a single conduit from the Great Falls of the Potomac. That, as has been stated, is a brick conduit, the construction of which was begun in 1853. Two years ago, according to the Tyler report, the volume of water brought by means of that conduit had reached a point where there was no longer the assurance of a sufficient supply. In addition, it is pointed out in the Tyler report that the conditions are now such that it is impossible to unwater that conduit for more than two days at a time, and therefore repairs can not be made. And as repairs can not be made, the report says that a breakdown is liable to occur at any moment, which would create a water famine in this community. Now, as has been stated, there have been inquiries from time to time into the situation, and the most recent survey is by the engineers of the War Department, with the result that I have indicated.

If there were time to send to the Clerk's desk and have read the report on this point of the engineers—the Tyler report—it would afford the most impressive evidence that can be had as to the existing necessity and danger.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. DEMPSEY. Does not the report that the gentleman refers to show this: That it takes just about as long to clear the conduit by pumping as the storage supply would last? In other words, there would not be any time after you cleared the conduit in which to repair it during which time the city would be supplied with water?

Mr. MOORE of Virginia. Yes; the remarkable condition exists that there is a single conduit upon which this city and the District are dependent and no means of repairing it. It is a brick tunnel, something over 60 years old, and is liable to go out of use at any time through an accident.

Now, can there be anything more serious for the House to consider?

The second proposition is that no one except the man who has been quoted by the distinguished gentleman from Michigan [Mr. MAPES] believes, so far as I understand, that there is any sort of connection between the matter of the water supply and the matter of the possible development of the water power of the Potomac River. When the gentleman quoted the unofficial engineer whom he has in mind I called up Maj. William B. Harrison, one of the engineers who worked under Tyler, and he stated that no such connection is involved. I also called up Mr. Hardy, who is in charge of the filtration plant of the District, and he made the same reply. So no one need think that in voting for this measure he runs any risk whatever of impeding the water-power development plan.

That may be left out of the case absolutely, and if my friend from Michigan had kept up with the matter by attending the sessions of the power commission and taken the trouble, as I have done, to secure a copy of the Tyler report and studied it, he would not have accepted the view that has been put into the newspapers by the engineer he has quoted.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. MAPES. Perhaps the gentleman can answer the question propounded by the gentleman from Ohio [Mr. GARD] as to whether Congress has ever settled upon a program for this work? I will say to the gentleman that I have other work to do besides attending the meetings of the engineers.

Mr. MOORE of Virginia. If Congress had acted heretofore, of course, this bill would not be before the House.

Mr. MAPES. Does the gentleman think this is the orderly procedure for Congress to adopt?

Mr. MOORE of Virginia. I do. When the engineers and the Water Power Commission inform us that it will take a considerable time to complete the work of constructing a new conduit, and that delay will put the entire matter where there will be constant peril to the people of the District and to all the interests of the District. And unless there is some better reason that can be given for the delay than any thus far assigned, I protest that action should not be postponed.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. CRAMTON. The estimate is that this work will require \$9,000,000, and we are beginning with an appropriation of \$200,000. At that rate it would take about 50 years, would it not?

Mr. MOORE of Virginia. That is not the way to state it. An initial appropriation of \$200,000 is asked for now. If sufficient additional appropriations are made hereafter the work will be completed in about two and one-half years.

Another thing, and this is the third proposition, is that the engineers have reached the conclusion that the plan E, as designated in this bill, is the most economical plan that can be adopted. There is no way to get water out of the Potomac, either at or above the Chain Bridge, that can be executed for less than \$9,000,000, which is what plan E will cost.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask that the gentleman's time be extended five minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. ANDREWS of Nebraska. Does the Federal Government pay for the water it uses in the public buildings in the District of Columbia, and, if so, at what rate?

Mr. MOORE of Virginia. I understand that it does not.

Mr. JOHNSON of Kentucky. May I ask the gentleman whether or not the water is brought to the Federal Government through its own conduit, a conduit that it has built at its own expense?

Mr. MOORE of Virginia. I can not say as to that, but I think such details are immaterial. The larger matter is the need of water here and the necessity of making provision for a greater supply. Whatever be the answer to the question as to who pays or who does not pay, I can not see that the fact bears on the essential issue with which we are dealing.

Mr. JOHNSON of Kentucky. May I ask the gentleman from Virginia whether he shares the opinion that we see expressed in the public press every day that the Federal Government should be made to pay for the water which it brings into its buildings through a conduit built by itself at its own expense?

Mr. MOORE of Virginia. I have no opinion on that point, and I do not see that that point is drawn into the consideration of this measure. The main thing, as I have tried to state, is the urgency of the case with reference to the necessity of the increase of the water supply. It seems to me that there ought not to be any hesitation about taking action. If we hesitate now there is no guaranty whatever that steps can be taken to initiate this work at any early date during the next session of Congress, and every day and every hour of delay increases the danger to which the people of the District are subjected. [Applause.]

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, if the parliamentary situation will permit it, I am going to ask for a division of the question and am going to offer a substitute that the entire amount of this appropriation be paid out of the funds of the District of Columbia and not out of the United States Treasury. If the matter is as urgent as is made out by those who are supporting the appropriation, most assuredly the District can afford to stand for the appropriation. It seems passing strange that if it is as important as it is claimed by those who are supporting it that the engineer should not have discovered it before the closing hours of this session of Congress; and if the engineer who is in charge and those who are taking care of the situation have not been vigilant enough to discover it a little sooner, it seems to me their opinion is not worth acting upon so hastily and hurriedly. Now, I am tired of this rushing in here with appropriations in the closing hours of a Congress. If appropriations are to be had or legislation of this character is to be enacted, the engineer and those in charge of the work ought to go before the proper committee and present the matter in the regular way. If these conduits and this water plant have been needed all these years, why is it that those engineers have not brought it before the proper committee and had proper hearings in order to start this work before this great emergency arose?

Mr. ZIHLMAN. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. ZIHLMAN. I want to answer the gentleman's question by telling him that this matter is here now because of its urgency, and at the request of the Secretary of War.

Mr. JONES of Texas. Of course, the Secretary of War did not go down and crawl through the water main. He is taking the word and the recommendation of an engineer who has made the investigation. Now my friend from Virginia [Mr. Moore], who is usually very conservative, comes before us in the habiliments of a ghost and tells us about the urgency that now exists. I understand from a number of members of the committee that this ghost has been stalking around for several years. Some one is always coming up here hoping to get work started in the closing hours of the session. They not only ask for this appropriation for the plans, but also ask for the appropriation for engineering and for clerical help and for anything that may be necessary to get this thing on its feet and started.

Mr. JOHNSON of Kentucky. And that would include condemnation.

Mr. JONES of Texas. That would include condemnation. Now, if the water supply for the District of Columbia is in such danger, why is it that those whose business it is to keep that water supply in working order did not discover it in time to present it to a committee in the regular way and let the proper committee consider this and present it in regular order and in due course of business? I for one will not vote to appropriate \$200,000 to start a project of this size in order to save a delay of some three or four weeks.

Mr. GREEN of Iowa. Do I understand that there have been any hearings, either here or in the Senate, on this project? I myself am not informed.

Mr. JONES of Texas. I am not informed, but I take it that there were no hearings. There has been no mention of hearings by those who are supporting the project. If there were hearings, it seems to me that if the proposition has merit the proper committee that should have charge of this ought to have presented the matter of the water supply of the District, especially if it is so serious that the water supply is going to break down and we are going to perish during the intermission between now and the next session of Congress.

Mr. GREEN of Iowa. A gentleman at my side says there have been hearings.

Mr. JONES of Texas. If there were hearings, then either that committee is not willing to do what is necessary to furnish a water supply or else the Committee on Appropriations is acting hastily in starting a \$9,000,000 project in the closing hours of the session.

Mr. ANTHONY. I move the previous question on the motion.

Mr. MAPES. Will the gentleman yield to me?

Mr. ANTHONY. I will yield to the gentleman to offer his motion.

Mr. MAPES. Mr. Speaker, I would like to make a motion and have it pending that the House further insist on its disagreement.

Mr. JONES of Texas. I desire to have a division and then offer a substitute.

Mr. ANTHONY. The gentleman can not do that now; we will have to have a division first.

The SPEAKER. The question is on the motion for the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. Mr. JONES of Texas.

Mr. JONES of Texas. Mr. Speaker, I ask for a division of the question.

The SPEAKER. The gentleman from Texas demands a division, and the question is on the motion to recede.

The question was taken; and on a division (demanded by Mr. MONDELL) there were 55 ayes and 39 noes.

Mr. BLANTON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. Evidently there is no quorum present; the Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 227, nays 82, answered "present" 3, not voting 115, as follows:

YEAS—227.

Almon	Dyer	Kearns	Oldfield
Andrews, Md.	Eagan	Keller	Oliver
Andrews, Nebr.	Eagle	Kelley, Mich.	Osborne
Anthony	Elliott	Kendall	Overstreet
Bakka	Elston	Kennedy, R. I.	Padgett
Bacharach	Esch	Kettner	Paige
Bankhead	Evans, Mont.	Kiess	Park
Bee	Fairfield	King	Pell
Berg	Farr	Kinkaid	Perlman
Benham	Fess	Knutson	Peters
Benson	Fields	Lampert	Porter
Bland, Ind.	Fish	Larsen	Pou
Bland, Va.	Fisher	Lazaro	Purnell
Brand	Flood	Lea, Calif.	Quin
Brinson	Focht	Lee, Ga.	Rainey, Henry T.
Brooks, Ill.	Fordney	Lehibach	Raker
Brooks, Pa.	Foster	Leshner	Ramsey
Browne	Freeman	Linthicum	Randall, Calif.
Buchanan	Fuller	Little	Randall, Wis.
Burdick	Gallivan	Longworth	Reber
Butler	Gandy	Luce	Reed, N. Y.
Byrnes, S. C.	Garrett	Lufkin	Reed, W. Va.
Byrns, Tenn.	Glynn	McArthur	Rhodes
Campbell, Kans.	Goldfogle	McKinley	Robinson, N. C.
Campbell, Pa.	Goodykoontz	McKinley	Robison, Ky.
Candler	Gould	McLaughlin, Nebr.	Rogers
Cantrill	Green, Iowa	McLeod	Rouse
Chindblom	Greene, Mass.	Madden	Rowe
Christopherson	Greene, Vt.	Magge	Sanders, Ind.
Cleary	Griest	Martin	Sanders, N. Y.
Coady	Griffin	Mays	Schall
Collier	Haugen	Mead	Scott
Crago	Hawley	Merritt	Shreve
Crampton	Hays	Miligan	Siegel
Cullen	Hernandez	Minahan, N. J.	Sims
Currie, Mich.	Hickey	Monahan, Wis.	Sinnott
Dale	Hicks	Montell	Sisson
Dallinger	Hoch	Montague	Siemp
Darrow	Holland	Moore, Ohio	Smith, Idaho
Davey	Houghton	Moore, Va.	Stegall
Davis, Minn.	Hull, Iowa	Moore, Ind.	Stedman
Davis, Tenn.	Hull, Tenn.	Morin	Stephens, Miss.
Dempsey	Humphreys	Mott	Stevenson
Denison	Husted	Mudd	Stoll
Dickinson, Mo.	Igoe	Nelson, Mo.	Strong, Kans.
Doremus	Jacoway	Newton, Minn.	Strong, Pa.
Dunbar	Johnson, Va.	Nolan	Swindall
Dupré	Johnson, Miss.	O'Connell	Swope
	Johnson, S. Dak.	Ogden	Tague

Taylor, Tenn.
Thompson
Tilson
Timberlake
Upshaw
Vaile
Venable
Vestal

Vinson
Voigt
Volk
Volstead
Ward
Wason
Watson
Weaver

Welling
Welly
Whaley
White, Kans.
White, Me.
Williams
Wilson, La.
Wilson, Pa.

Winslow
Wood, Ind.
Woods, Va.
Woodyard
Wright
Yates
Zihman

NAYS—82.

Anderson
Ashbrook
Barbour
Barkley
Black
Blanton
Boies
Bowling
Box
Briggs
Cannon
Caraway
Carrs
Carter
Connally
Curry, Calif.
Dickinson, Iowa
Dominick
Drane
Echols
Edmonds

Evans, Nebr.
Frear
French
Graham, Ill.
Hadley
Hardy, Colo.
Hastings
Hayden
Hersey
Huddleston
Hudspeth
Hutchinson
Ireland
Jeffers
Johnson, Ky.
Jones, Pa.
Jones, Tex.
Kraus
Lanham
Lankford
Layton

McClintic
McKenzie
McKeown
McLaughlin, Mich.
McPherson
MacGregor
Mann, Ill.
Mansfield
Mapes
Michener
Miller
Nelson, Wis.
Newton, Mo.
O'Connor
Parrish
Patterson
Radcliffe
Ransley
Rayburn
Ricketts
Rose

Sherwood
Sinclair
Snell
Snyder
Stephens, Ohio
Summers, Wash.
Summers, Tex.
Taylor, Ark.
Taylor, Colo.
Temple
Tillman
Tinkham
Treadway
Walsh
Webster
Wheeler
Wingo
Young, N. Dak.
Young, Tex.

ANSWERING PRESENT—3.

Clark

Crisp

Dowell

NOT VOTING—115.

Ackerman
Aswell
Ayres
Baer
Bell
Bland, Mo.
Bowers
Britten
Brumbaugh
Burke
Caldwell
Carew
Casey
Classon
Cole
Cooper
Copley
Costello
Crowther
Dent
Dewalt
Donovan
Dooling
Doughton
Drewry
Dunn
Ellsworth
Emerson
Evans, Nev.

Ferris
Gallagher
Gandy
Gard
Garner
Godwin, N. C.
Good
Goodall
Goodwin, Ark.
Graham, Pa.
Hamill
Hamilton
Carew
Hardy, Tex.
Harrell
Harrison
Hersman
Hill
Hoey
Howard
Hulings
James, Mich.
Johnson, Wash.
Johnston, N. Y.
Juul
Kahn
Kelly, Pa.
Kennedy, Iowa
Kincheloe
Kitchin

Klecza
Kreider
Langley
Lomergan
Luhning
McAndrews
McCulloch
McDuffie
McFadden
McGlennon
Maher
Major
Mann, S. C.
Mason
Moon
Mooney
Murphy
Neely
Nicholls
Olney
Parker
Phelan
Rainey, Ala.
Rainey, John W.
Ramseyer
Reavis
Riddick
Riordan
Rodenberg

Romjue
Rowan
Rube
Rucker
Sabath
Sanders, La.
Sanford
Scully
Scars
Sells
Small
Smith, Ill.
Smith, Mich.
Smith, N. Y.
Smithwick
Steele
Steenerson
Stines
Sullivan
Sweet
Thomas
Tinch
Towner
Vare
Walters
Watkins
Wilson, Ill.
Wise

So the motion to recede was agreed to.

The following additional pairs were announced:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. TOWNER with Mr. CRISP.

Mr. RODENBERG with Mr. HOWARD.

Mr. HARRELD with Mr. BELL.

Mr. WILSON of Illinois with Mr. RUCKER.

Mr. SWINDALL with Mr. HOEY.

Mr. TINCER with Mr. PHELAN.

Mr. CROWTHER with Mr. McANDREWS.

Mr. KLECZKA with Mr. GANDY.

Mr. ACKERMAN with Mr. WATKINS.

Mr. KAHN with Mr. DEWALT.

Mr. STINES with Mr. CALDWELL.

Mr. DUNN with Mr. HERSMAN.

Mr. LUHRING with Mr. JOHNSTON of New York.

Mr. PARKER with Mr. ROMJUE.

Mr. WALTERS with Mr. ASWELL.

Mr. REAVIS with Mr. BARKLEY.

Mr. BENHAM with Mr. SMITH of New York.

Mr. COOPER with Mr. NEELY.

Mr. JOHNSON of Washington with Mr. GODWIN of North Carolina.

Mr. McCULLOCH with Mr. KINCHELOE.

Mr. SMITH of Illinois with Mr. McGLENNON.

Mr. SELLS with Mr. AYRES.

Mr. BOWERS with Mr. RUBEY.

Mr. SWEET with Mr. CAREW.

Mr. KENNEDY of Iowa with Mr. McDUFFIE.

Mr. GOOD with Mr. SMITHWICK.

Mr. RAMSEYER with Mr. BRUMBAUGH.

Mr. BURKE with Mr. MOONEY.

Mr. SMITH of Michigan with Mr. DOOLING.

Mr. COLE with Mr. SULLIVAN.

Mr. MURPHY with Mr. GALLAGHER.

Mr. KRIEDER with Mr. STEELE.
Mr. KELLY of Pennsylvania with Mr. CASEY.

Mr. JUUL with Mr. SABATH.
Mr. GOODALL with Mr. OLNEY.
Mr. DOWELL with Mr. SMALL.
Mr. HILL with Mr. EVANS of Nevada.
Mr. COPLEY with Mr. MAHER.

The result of the vote was announced as above recorded.
The doors were opened.

Mr. JONES of Texas. Mr. Speaker, I offer the amendment which I send to the desk.

Mr. ANTHONY. But, Mr. Speaker, I made a motion to concur with an amendment.

Mr. JONES of Texas. I offer a substitute for that amendment.

The SPEAKER. The gentleman can not offer a substitute; the previous question has been ordered.

Mr. JONES of Texas. I gave notice that I would offer a substitute, and sent the amendment to the desk before the previous question was ordered.

The SPEAKER. But there was no understanding about it.

Mr. JONES of Texas. I may have misunderstood the gentleman from Kansas, but I understood that it would be considered.

Mr. ANTHONY. My motion to recede and concur was a preferential motion and would have to be disposed of first. If that was voted down, then the gentleman could offer his substitute.

The SPEAKER. The gentleman from Kansas moves to concur with an amendment.

Mr. JONES of Texas. A parliamentary inquiry. Will the substitute which I offer be in order if the motion of the gentleman from Kansas is voted down?

The SPEAKER. It will not.

Mr. JONES of Texas. I offered the substitute prior to the time the previous question was ordered.

The SPEAKER. The Chair is informed that the substitute was never reported.

Mr. JONES of Texas. It was not reported but I offered it in the colloquy and I understood that it could be considered. I think the gentleman from Kansas so understood it.

Mr. ANTHONY. No; I think I made a clear statement that my motion would first have to be disposed of; or at least I intended to convey that information.

Mr. JONES of Texas. There was some confusion at the time and I might have misunderstood the gentleman.

The SPEAKER. The question is on the motion of the gentleman from Kansas to concur with an amendment.

Mr. JONES of Texas. Mr. Speaker, is it permissible to demand a division of this question?

The SPEAKER. The Chair thinks it is not. The question is on agreeing to the motion to concur with an amendment.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. The House having receded, is not the amendment first to be put, before the motion to concur with an amendment?

The SPEAKER. The gentleman from Kansas moved to recede and concur with an amendment. A division of the question was made and the House voted to recede. The Chair would think that the vote came now on the motion to concur with an amendment.

Mr. MANN of Illinois. If the previous question had not been ordered, the question would not be put on the motion to concur with an amendment; if some one else first offers an amendment, the question would be on agreeing to the amendment.

The SPEAKER. On the amendment the other gentleman offered?

Mr. MANN of Illinois. On both, I would think.

The SPEAKER. If an amendment was pending, or if the previous question had not been ordered, the first motion would be on the amendment to the amendment, and then the Chair thinks the vote would still be on the motion to concur with an amendment, either as amended or not amended. The Chair thinks the vote is on the motion to concur with an amendment. The question is on the motion of the gentleman from Kansas to concur with an amendment. The gentleman from Texas has demanded a division.

The question was taken; and there were—ayes 99, noes 9.

So the motion to concur with an amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 113: After the figures "\$4,000," in line 6, page 82, insert: "Provided, That these civilian instructors employed in the department of modern languages and the department of tactics shall

be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters."

Mr. ANTHONY. Mr. Speaker, the purpose of this is to put back into the bill language which went out on a point of order. It is a provision that has been carried in the Military Academy appropriation bill for many years. We offered this amendment which, instead of providing the allowances of a second lieutenant to these civilian instructors, simply provides them with quarters, fuel, and light. I move to recede and concur with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. Anthony moves that the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert: "Provided, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and fuel and light."

Mr. DALLINGER. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. DALLINGER. Does this include all of the instructors? Mr. ANTHONY. No; it refers to only two instructors. All of the other instructors have quarters and fuel and light.

The SPEAKER. The question is on the motion of the gentleman from Kansas to recede and concur with an amendment.

The motion was agreed to.

Mr. ANTHONY. Mr. Speaker, I move that the House ask for a further conference with the Senate.

The motion was agreed to.

The Chair appointed the following conferees: Mr. ANTHONY, Mr. CRAMTON, Mr. SLEMP, Mr. DENT, Mr. SISSON.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. ANDERSON. Mr. Speaker, I submit a conference report upon the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, which I send to the desk and ask to have read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 11, 12, 31, 32, 33, 79, 80, 82, 115, 116, and 119 to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 31.

That the House recede from its disagreement to the amendments of the Senate numbered 79 and 80, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$501,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,649,270"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,147,770"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$382,810"; and the Senate agree to the same.

Amendment numbered 115: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 115 and agree to the same.

Amendment numbered 116: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 116, and agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu

of the sum proposed insert "\$36,404,259"; and the Senate agree to the same.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

A. J. GRONNA,
WM. S. KENYON,
E. D. SMITH,
THOS. P. GORE,
CHAS. L. McNABY,
Managers on the part of the Senate.

Mr. ANDERSON. Mr. Speaker, there were only two major items involved in the proposition under consideration in the conference. The first of these was amendment No. 31, which provides for the congressional seed distribution. Upon that amendment the Senate recedes. The other major proposition was the amendment inserted by the Senate providing for loans to farmers for the purchase of seeds in the drought-stricken sections of the country. Upon that proposition the Senate recedes from its disagreement to the House amendment. The remaining amendments involve only totals, with one exception, which is the item for an assistant in the seed distribution, which goes along with the congressional seed distribution.

Mr. LONGWORTH. So that the loan now is limited to \$2,000,000?

Mr. ANTHONY. Yes; \$2,000,000 instead of \$5,000,000, and the maximum loan to each farmer is \$200 instead of \$300.

Mr. GARRETT. This ends the differences between the two Houses?

Mr. ANDERSON. Yes.

Mr. GARRETT. And it is a complete report?

Mr. ANDERSON. Yes. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on March 2, 1921, approved and signed bills of the following titles:

H. R. 15872. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 11945. An act for the relief of W. C. Stewart;

H. R. 12005. An act for the relief of Henry P. Corbin; and

H. R. 13402. An act for the purchase of land occupied by experimental vineyards near Fresno and Oakville, Calif.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson;

H. R. 12045. An act to provide for the conveyance of lots on low grounds of Washington, D. C.;

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes; and

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.

UNITED STATES SHIPPING BOARD.

Mr. WALSH. Mr. Speaker, I submit a report from the Select Committee on the United States Shipping Board operations for printing, which I send to the desk.

The SPEAKER. The gentleman from Massachusetts submits a report on the Shipping Board operations. It is ordered printed.

POSTMASTER GENERAL BURLESON.

Mr. HENRY T. RAINEY. Mr. Speaker, I have here a communication addressed to me by the gentleman from North Carolina [Mr. KITCHIN], who will be minority leader in the next House, to which is attached an address defending the Postmaster General against a newspaper attack. He has asked me to read the communication into the RECORD, it will probably occupy five or six minutes of time, and I ask unanimous consent to send the letter and address to the Clerk to be read at this time.

The SPEAKER. The gentleman from Illinois asks unanimous consent to have read at the Clerk's desk the letter to which he refers. Is there objection?

Mr. KING. Mr. Speaker, I object. The gentleman from Oklahoma will not let anybody else in here with any extension of remarks. Mr. Speaker, I withdraw the objection.

The SPEAKER. The gentleman from Illinois withdraws the objection. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, March 1, 1921.

DEAR HENRY: Here is a statement which I have prepared. I hope you will put it in the RECORD for me, since I fear I will not be able to be down before Congress adjourns. My doctors state that I will be all right in a few days.

Your friend,

CLAUDE KITCHIN.

[Applause.]

Mr. KITCHIN. Mr. Speaker, but for my untimely illness the statement I purpose making now would have been made during the last session of Congress. I am not content, however, to permit this session of Congress to expire without conclusively demonstrating the gross falsity and injustice of the statement upon which I shall now comment.

Shortly before the return of the President from his last trip to Europe, in one of the most mendacious sheets published in America, the New York World, a paper constantly given to misrepresenting and slandering public officials, an editorial was printed, which was carried under the caption "Burleson," and the following excerpt is taken therefrom:

When Mr. Wilson was elected President he had had little experience in national politics. He had dealt with principles and ideas rather than with politicians and organizations. His advisers urged him to follow precedent and name a Postmaster General who could attend to the political affairs of the administration, and as bad luck would have it Albert Sidney Burleson, of Texas, was selected.

Mr. Burleson had had a great deal of political experience. He had served eight terms in Congress from the Austin district, and Mr. Wilson's advisers insisted that inasmuch as Mr. Burleson possessed exceptional knowledge of the ways of Congress he would prove invaluable as a link between the executive and legislative departments of the Government. The prospectus was alluring, but the goods were never delivered.

Taking the record of the last six years, the Burleson appointment, on the whole, has proved the most unfortunate that the President ever made—unfortunate for Mr. Wilson himself, unfortunate for his administration, unfortunate for the Democratic Party, and unfortunate for the country. Mr. Bryan was a sorry misfit as Secretary of State, but Mr. Bryan's selection was inevitable, and in naming him Mr. Wilson followed the political traditions of the country. Moreover, Mr. Bryan's opportunities for mischief were narrowly circumscribed, because Mr. Wilson, in reality, was his own Secretary of State and decided all questions of policy. There have been no such restraints upon Mr. Burleson. He has roamed at large, been allowed to administer his office in his own amazing way, and the consequences are appalling.

Instead of being a link between the President and Congress, he has been a source of continuing contention. Disliked and distrusted at the Capitol, he has made the President's relations with Congress more difficult. As a political adviser to the President he has been a Democratic tragedy. If there has been any instance in which Mr. Wilson has not involved himself in trouble by taking counsel of Albert Sidney Burleson, we should like to know when it happened.

Mr. Speaker, the statements in this editorial were either true or false, and if not true, their falsity should be easily demonstrable.

There are three distinct assertions set forth therein. First, that Burleson was disliked by his former congressional associates. Second, that he was distrusted by those associates. Third, that as "a link between the Executive and the Congress" he has been "a source of continuing contention" and "has made the President's relations with Congress more difficult."

First. Is it true that Burleson was disliked by Members of Congress with whom he had served for 14 years?

At the time he resigned from Congress in 1913 to enter the Cabinet Mr. Burleson was the ranking majority member on one of our most important committees—Appropriations—and had been a member of this committee for years. He had just been unanimously elected, without being a candidate for the honor, chairman of the caucus of his party members. He was universally respected by his fellows because of his recognized ability, his high character, and sterling integrity, and notwithstanding his rugged and unwavering partisanship he numbered among his friends and now enjoys the affectionate regard of many among the older Members on the other side of this Chamber. Every man here who knew Burleson liked him and knows full well without further statement from me that the statement made that he was disliked by his former associates is absolutely false and without a scintilla of evidence to support it.

Second. Was he distrusted by his former associates?

Mr. Speaker, the grant of appropriations asked by him is a fair measure of the confidence of the Congress in a Cabinet officer. I now assert without fear of contradiction that never has the Congress shown greater confidence in a Cabinet officer than it has given to Postmaster General Burleson. The fact is known of all Members of this body, and testimony in support thereof has often been borne, by the opposition members on the great Committee of Appropriations that he is one Cabinet officer in whom they have such confidence that they always give him what he asks because, to quote from one of the most distinguished members of the opposition, "He never asks for anything in the way of an appropriation that is not allowed for the reason that he never asks for anything unless actually needed."

Thus it is shown, Mr. Speaker, that the statement that he was distrusted by his former associates is as vile a slander as was ever directed against a public official.

Now, is there any truth in the third philippic directed by this maliciously mendacious sheet against Albert Sidney Burleson?

It was a well-recognized fact, approved at the White House, and known to every chairman of an important committee of the Congress that during the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses the Postmaster General was "the link between the President and the Congress," just as has been stated by this paper in its editorial—the only true statement in the entire editorial. That fact is not denied, but the issue is whether he has been "a source of continuing contention" and had "made the President's relations with Congress more difficult."

Mr. Speaker, it will be admitted by even the partisan opposition that during the first six years of Woodrow Wilson's administration a very remarkable program of constructive legislation was enacted into law. Many of these measures were bitterly contested. Frequently they were passed through the Congress by a very narrow margin of votes. I now assert, and this assertion will be assented to by every chairman of an important committee dealing with this program of legislation, that President Wilson will perhaps never know in how great a degree the Postmaster General contributed to the passage of these measures. At many strategical points his timely aid and influence helped save the day. This fact will be gladly acknowledged by the gentlemen who were in charge of the various measures and will not be denied by anyone who is in a position to speak the truth. Sometimes many, if not all, of the leaders on both sides of this Chamber were in opposition and yet, Mr. Speaker, for six years the administration had the unparalleled record of never having lost a legislative battle, and honesty and truth compels the statement that Albert Sidney Burleson is entitled to no little credit for this accomplishment, as we all know. I speak in the presence of the men who know the truth and I unhesitatingly say that a more unjust falsehood was never uttered than that made in this editorial that Burleson made the President's relations with Congress more difficult. Just the reverse is true, and I speak from a full knowledge of all the facts. More than once he made the way smoother, more than once he aided in overcoming what might otherwise have become insurmountable difficulties.

This, Mr. Speaker, was true with reference to the passage of the Federal reserve act, the tariff act, the farm loan act, the canal tolls act, the Alaskan Railway act, the Clayton Antitrust Act, as well as the acts growing out of the World War, like the draft act, the McLemore resolution, and others too numerous to mention.

Thus it is seen, Mr. Speaker, when the light of truth is turned upon these editorial denunciations of the Postmaster General they are clearly shown to be a tissue of malignant falsehoods.

We all know the animus of these newspaper and magazine criticisms of Burleson. The underlying reason for all this denunciation of him is the fact that second-class postage rates, which had been talked about for 30 years, were put over during his administration as Postmaster General. I myself had charge of the bill which increased the rates in second-class mail matter, and know that Burleson was largely instrumental in its passage, and I gladly recognize the great service he rendered in that matter. Because of his courage and honesty as a public official it was sought by those who have been feeding at the public trough, and whose feet he has lifted out of that trough, to make the people believe that he is disliked and distrusted. The effort has failed. The record has been made and speaks for itself.

INCORPORATING NATIONAL CONSERVATORY OF MUSIC OF AMERICA.

The SPEAKER. The unfinished business before the House is the suspension of the rules and the passing of the bill on which a division was held last evening. The Clerk will report the bill by title.

The Clerk read as follows:

S. 1531. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

Mr. CRAMTON. Mr. Speaker, I make the point of order there is no quorum present. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The question is on suspending the rules and passing the bill.

The House divided.

The SPEAKER. The Chair is in doubt.

The House again divided; and there were—ayes 97, noes 30.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 203, noes 60, answered "present" 1, not voting 163, as follows:

YEAS—203.

Andrews, Md.	Fess	Luce	Scott
Andrews, Nebr.	Fish	McKeown	Sells
Anthony	Flisher	McKiniry	Shreve
Ashbrook	Focht	McLaughlin, Mich.	Siegel
Bakka	Freeman	McLaughlin, Nebr.	Sinclair
Bacharach	French	McLeod	Sinnot
Barbour	Gallivan	MacGregor	Smith, Idaho
Begg	Ganly	Magee	Smith, Ill.
Benham	Good	Major	Snell
Benson	Goodykoontz	Mann, Ill.	Snyder
Black	Gould	Mansfield	Stedman
Bland, Va.	Graham, Ill.	Mapes	Stephens, Ohio
Brand	Green, Iowa	Martin	Strong, Kans.
Brinson	Greene, Mass.	Mays	Strong, Pa.
Brooks, Ill.	Griest	Mead	Summers, Wash.
Burdick	Griffin	Michener	Sweet
Burroughs	Hadley	Miller	Swindall
Byrnes, S. C.	Hardy, Colo.	Minahan, N. J.	Swope
Campbell, Kans.	Hastings	Monahan, Wis.	Tague
Campbell, Pa.	Haugen	Mondell	Taylor, Colo.
Cannon	Hawley	Moore, Ohio	Taylor, Tenn.
Caraway	Hayden	Moore, Va.	Temple
Carrs	Hernandez	Moore, Ind.	Thompson
Carter	Hersey	Marin	Tilson
Chindblom	Hersman	Mott	Timberlake
Christopherson	Hickey	Nelson, Wis.	Tincher
Cleary	Hicks	Newton, Minn.	Tinkham
Coady	Holland	O'Connell	Vaile
Crago	Houghton	Ogden	Vestal
Cullen	Hull, Iowa	Osborne	Voigt
Currie, Mich.	Humphreys	Padgett	Volk
Dale	Husted	Park	Walsh
Dallinger	Hutchinson	Parker	Ward
Darrow	Igoe	Patterson	Wason
Devey	Ireland	Pell	Watson
Dempsey	Jeffers	Perlman	Weaver
Denison	Johnson, S. Dak.	Purnell	Webster
Dickinson, Iowa	Kearns	Radcliffe	Welty
Donovan	Keller	Rainey, Henry T.	Wheeler
Dowell	Kelley, Mich.	Ramsey	White, Kans.
Drane	King	Randall, Calif.	White, Me.
Dunbar	Kinkaid	Randall, Wis.	Wilson, Ill.
Dunn	Kraus	Ransley	Wilson, La.
Dupré	Kreider	Reed, W. Va.	Wilson, Pa.
Dyer	Lampert	Rhodes	Wood, Ind.
Eagan	Lee, Calif.	Robison, Ky.	Woods, Va.
Edmonds	Lee, Ga.	Rogers	Wright
Elliott	Leibach	Rose	Yates
Esch	Leshner	Rowe	Young, N. Dak.
Evans, Nebr.	Linthicum	Sanders, Ind.	Zihlman
Farr	Longworth	Schall	

NAYS—60.

Almon	Bell	Buchanan	Curry, Calif.
Aswell	Blanton	Byrnes, Tenn.	Davis, Tenn.
Bankhead	Bowling	Collier	Dickinson, Mo.
Barkley	Rox	Connally	Donthick
Bee	Briggs	Cramton	Eagle

Fairfield	James, Va.	Parrish	Stephens, Miss.
Fields	Jones, Tex.	Quin	Stevenson
Flood	Lanham	Raker	Stoll
Foster	Lankford	Rayburn	Taylor, Ark.
Garrett	Larsen	Ricketts	Tillman
Hoch	McClintic	Romjue	Vinson
Huddleston	McDuffie	Rouse	Welling
Hudspeth	Nicholls	Sherwood	Whaley
Hull, Tenn.	Oldfield	Sisson	Wingo
Jacoway	Oliver	Steagall	Young, Tex.

ANSWERED "PRESENT"—1.

Crisp

NOT VOTING—163.

Ackerman	Frear	Langley	Reavis
Anderson	Fuller	Layton	Reber
Ayres	Gallagher	Lazaro	Reed, N. Y.
Baer	Gandy	Little	Riddick
Bland, Ind.	Gard	Lonergan	Riordan
Bland, Mo.	Garner	Lufkin	Robinson, N. C.
Boles	Glynn	Luhning	Rodenberg
Bowers	Godwin, N. C.	McAndrews	Rowan
Britten	Goldfogle	McArthur	Rubey
Brooks, Pa.	Goodall	McCulloch	Rucker
Browne	Goodwin, Ark.	McFadden	Sabath
Brumbaugh	Graham, Pa.	McGlennou	Sanders, La.
Burke	Greene, Vt.	McKenzie	Sanders, N. Y.
Butler	Hamill	McKinley	Sanford
Caldwell	Hamilton	McPherson	Scully
Candler	Hardy, Tex.	Madden	Sears
Cantrill	Harrel	Maher	Sims
Carew	Harrison	Mann, S. C.	Slemp
Casey	Hays	Mason	Small
Clark	Hill	Merritt	Smith, Mich.
Classon	Hoey	Milligan	Smith, N. Y.
Cole	Howard	Montague	Smithwick
Cooper	Hulings	Moon	Steele
Copley	James, Mich.	Mooney	Steenerson
Costello	Johnson, Ky.	Mudd	Stiness
Crowther	Johnson, Miss.	Murphy	Sullivan
Davis, Minn.	Johnson, Wash.	Neely	Summers, Tex.
Dent	Johnston, N. Y.	Nelson, Mo.	Thomas
Dewalt	Jones, Pa.	Newton, Mo.	Towner
Dooling	Juul	Nolan	Treadway
Doremus	Kahn	O'Connor	Upshaw
Doughton	Kelly, Pa.	Olney	Vare
Drewry	Kendall	Overstreet	Venable
Echols	Kennedy, Iowa	Paige	Volstead
Ellsworth	Kennedy, R. I.	Peters	Walters
Elston	Kettner	Phelan	Watkins
Emerson	Kiess	Porter	Williams
Evans, Mont.	Kincheloe	Pou	Winslow
Evans, Nev.	Kitchin	Rainey, Ala.	Wise
Ferris	Klecza	Rainey, John W.	Woodyard
Fordney	Knutson	Ramseyer	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. FORDNEY with Mr. MONTAGUE.

Mr. YOUNG of North Dakota with Mr. PHELAN.

Mr. WILLIAMS with Mr. UPSHAW.

Mr. TREADWAY with Mr. GARD.

Mr. BOLES with Mr. CANDLER.

Mr. FULLER with Mr. LAZARO.

Mr. MCARTHUR with Mr. LONERGAN.

Mr. JONES of Pennsylvania with Mr. HAMILL.

Mr. ELSTON with Mr. EVANS of Montana.

Mr. BUTLER with Mr. BLAND of Missouri.

Mr. ANDERSON with Mr. CAREW.

Mr. MADDEN with Mr. SIMS.

Mr. PAIGE with Mr. SANDERS of Louisiana.

Mr. MUDD with Mr. MILLIGAN.

Mr. REBER with Mr. STEELE.

Mr. WALTERS with Mr. ROWAN.

Mr. MASON with Mr. RUCKER.

Mr. WINSLOW with Mr. VENABLE.

Mr. GREENE of Vermont with Mr. JOHNSON of Kentucky.

Mr. KNUTSON with Mr. NELSON of Missouri.

Mr. FREAR with Mr. DENT.

Mr. BROOKS of Pennsylvania with Mr. AYRES.

Mr. NEWTON of Missouri with Mr. SMALL.

Mr. NOLAN with Mr. ROBINSON of North Carolina.

Mr. WOODYARD with Mr. MANN of South Carolina.

Mr. KENNEDY of Rhode Island with Mr. SCULLY.

Mr. MERRITT with Mr. SMITH of New York.

Mr. DAVIS of Minnesota with Mr. CANTRILL.

Mr. KENDALL with Mr. JOHNSON of Mississippi.

Mr. KIESS with Mr. OVERSTREET.

Mr. MCKENZIE with Mr. POU.

Mr. PORTER with Mr. SUMMERS of Texas.

Mr. MCPHERSON with Mr. DOREMUS.

Mr. LAYTON with Mr. O'CONNOR.

Mr. LUFKIN with Mr. SMITHWICK.

Mr. REED of New York with Mr. HOEY.

Mr. PETERS with Mr. GOLDFOGLE.

Mr. BROWNE with Mr. FERRIS.

Mr. BLAND of Indiana with Mr. RAINEY of Alabama.

The result of the vote was announced as above recorded.

Mr. GLYNN with Mr. MCGLENNON.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

GOVERNMENT OF PHILIPPINE ISLANDS.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the fiscal year ended December 31, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
2d March, 1921.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of rescue work on the Mississippi River.

Mr. RAYBURN. Are these the gentleman's own remarks?

Mr. KING. Yes, sir.

Mr. RAYBURN. I shall have to object.

Mr. KING. What is the purpose in the gentleman's objecting?

Mr. RAYBURN. Because everybody else's remarks are objected to.

Mr. KING. I wish the gentleman would let me in on that.

The SPEAKER. The gentleman from Texas (Mr. RAYBURN) objects.

MINUTES OF INTERPARLIAMENTARY UNION.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the Record the minutes of the meeting of the American group of the Interparliamentary Union. It is less than 300 words in length.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the Record by printing the minutes of a recent meeting of the Interparliamentary Union of this body.

Mr. GARRETT. I understand that is an official body.

Mr. MOORES of Indiana. It is.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The minutes are as follows:

The regular annual meeting of the Interparliamentary Union was held in the Caucus Room of the House of Representatives at 10 o'clock the morning of February 24, Mr. William B. McKinley, the president, presiding.

The election of the officers for the ensuing year being the order.

The president, William B. McKinley was, on the motion of Mr. Fred Britten, of Illinois, seconded by Mr. Henry Garland Dupré, of Louisiana, unanimously reelected president.

On motion the following members were reelected:

Vice presidents: Andrew J. Montague, Virginia; Halvor Steenerson, Minnesota; William A. Oldfield, Arkansas.

Mr. Henry Garland Dupré, of Louisiana, was reelected secretary.

Mr. Arthur Deering Call was elected executive secretary for the union.

The following members were unanimously named members of the executive committee: William B. McKinley, Illinois, ex-officio (chairman); Andrew J. Montague, Virginia; Fred Britten, Illinois; Theodore Burton, Ohio; Henry Allen Cooper, Wisconsin; William W. Rucker, Missouri; William A. Oldfield, Arkansas; Joseph T. Robinson, Arkansas; Thomas Sterling, South Dakota; Henry W. Temple, Pennsylvania; Halvor Steenerson, Minnesota; James C. McLaughlin, Michigan.

There were expressions of regret at the continued illness of the efficient executive secretary, Dr. S. N. D. North, who was compelled to retire on account of his state of health, and hope was expressed that he would be speedily restored to his normal condition. On motion the meeting adjourned.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House stands in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order by the Speaker.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the first bill on the Unanimous Consent Calendar.

ABANDONMENT OF FORT DODGE, IOWA.

The first business on the Calendar for Unanimous Consent was the resolution (H. Res. 636) requesting the War Department to furnish information to the Committee on Military Affairs regarding the abandonment of Camp Dodge and pro-

viding that pending the furnishment of such information and action thereon no action toward the wrecking and abandonment of said camp be taken.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. I object.

The SPEAKER. The gentleman from Texas objects. The Clerk will report the next one.

AMERICAN NATIONAL RED CROSS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15482) to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905.

The title of the bill was read.

Mr. MCCLINTIC. Mr. Speaker, has it not already been passed?

The SPEAKER. A similar Senate bill has been passed. The Clerk will report the next bill.

COAL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15830) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

Mr. SINNOTT. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. BLANTON. I will withhold it.

Mr. SINNOTT. This bill is a bill recommended by the Interdepartmental Bureau for Alaska; that is, the various departments of the Government which deal with Alaskan affairs have recommended the passage of this act. I introduced the bill at the request of the Secretary of the Interior. A similar bill has passed the Senate. At the present time there is no provision in the Alaskan coal laws for a prospecting permit. We have that provision in the general coal act for the United States.

Mr. BLANTON. Will the gentleman permit a question?

Mr. SINNOTT. Yes.

Mr. BLANTON. In building the Alaskan Railway and the subsequent acts which have been passed, appropriating very large sums of money, it was then stated that it would be instrumental in producing for the use of the United States on the Pacific coast great quantities of valuable coal, and that the greatest coal deposits known in the history of the world were out in this Territory of Alaska. Now, in the closing hours of Congress comes a bill which, if passed, will be passed without any consideration. We do not know how many Guggenheims there may be in it. We do not know how many Guggenheims there may be who will swallow up that coal in Alaska under the ground by reason of this bill if passed, and my idea was that we might well hesitate and wait until some other term of Congress, when we can give the matter more careful consideration.

Mr. SINNOTT. This bill is a very simple bill. It simply perfects the present law relative to the mining of coal in Alaska. A great deal of the coal that the gentleman refers to is withdrawn by the general coal-leasing act relating to Alaska. This bill merely provides for a prospecting permit, and then if coal is discovered on a prospecting permit one may secure a lease of the land under the provisions of the general coal-leasing law of Alaska.

Mr. BLANTON. What does the Government get out of it?

Mr. SINNOTT. It gets a revenue out of it.

Mr. BLANTON. A royalty of about 2 cents per ton.

Mr. SINNOTT. Whatever royalty the Secretary of the Interior may fix.

Mr. BLANTON. And we have built a railroad up there for prospectors to go out there and get the benefit of this coal?

Mr. SINNOTT. It is a minimum of 2 cents a ton. Then they have to pay 25 cents an acre for the first year and 50 cents for the second, third, fourth, and fifth, and then a dollar a year for every year after the fifth year.

Mr. BLANTON. What is the urgency now?

Mr. MONDELL. Just a moment. When we passed the coal-land leasing act I called attention to the fact that the act was faulty because it had no prospecting provision in it. A man had to go out and lease a tract of land without any opportunity of previously exploring it, and had to locate his claim and develop it, so that he could not tell where he wanted to lease. It was a fault in the bill that they are trying to remedy, in so far as Alaska is concerned. We ought to have the same provision

in the bill as it relates to the United States. It simply provides that in advance of the lease a man will have a prospecting permit, during which time he may prospect the ground and determine the area that he desires to lease. We ought to have had a provision of that kind in the bill for the continental area of the United States. I endeavored to get such a provision placed in the bill when it was passed by the House, but I was unable to do so. There was no reason why it should not have been done, except that the bill we passed was not written that way.

Mr. BLANTON. When was the report made on this bill?

Mr. SINNOTT. The report was made some time ago.

Mr. BLANTON. Several months ago?

Mr. SINNOTT. No; not several months ago.

Mr. BLANTON. It was made in January, was it not?

Mr. SINNOTT. It was reported to the House on January 29.

Mr. BLANTON. And we have waited all of this time, when we have had a good many spare hours, until now we are in the closing hours of the session.

Mr. SINNOTT. No; this bill has waited in its place on the calendar.

Mr. BLANTON. The gentleman knows it is very easy to pass measures in the Senate and bring them over here, when claims involving \$714,000, like the McClintic-Marshall Construction Co. claim, can be put on as riders on an appropriation bill.

Mr. SINNOTT. Summer is coming on in Alaska, and prospectors will want to be at work. I have discussed this matter with the Delegate elect from Alaska, the Secretary of the Interior, and the Interdepartmental Bureau, and they are all in favor of it. I hope the gentleman will not object.

Mr. MADDEN. If the gentleman will yield, this bill simply adds to the existing law the exploration rights?

Mr. SINNOTT. The exploration rights, that is all.

Mr. MADDEN. For the period of four years?

Mr. SINNOTT. Yes.

Mr. MADDEN. And the man who does the prospecting does it at his own expense?

Mr. SINNOTT. At his own expense.

Mr. MADDEN. And if he discovers coal he may have the right to lease on the terms fixed in the law?

Mr. SINNOTT. Yes.

Mr. MONDELL. If the gentleman will allow me, I have had some experience in this sort of thing. We never can lease coal land in Alaska unless we give the man the right to go on the ground and explore the territory and develop the thickness of the vein, learn the character of the vein, and determine what area he can successfully mine.

Mr. BLANTON. The gentleman surely heard the speech of the Delegate from Alaska on the coal situation there?

Mr. MONDELL. I have not heard any speech on this subject at all, but I know we ought to have had a provision of this sort in the coal bill when we passed it, and I insisted then that a provision of this kind was essential.

Mr. BLANTON. The coal is not going to get away from us by waiting. It is in the ground.

Mr. SINNOTT. Of course, several months will go by. The Alaskan coal law that will attach to this bill is the coal law that was passed since the so-called frauds took place in Alaska.

Mr. BLANTON. I feel compelled to object.

Mr. SINNOTT. I am sorry the gentleman objects.

The SPEAKER. The Chair will recognize the gentleman from Oregon to move to suspend the rules.

Mr. SINNOTT. Mr. Speaker, I move to suspend the rules and pass S. 4864.

The SPEAKER. The gentleman from Oregon moves to suspend the rules and pass a bill which the Clerk will report.

The Clerk read the bill (S. 4864) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, be, and the same is hereby, amended by adding to said section the following proviso:

"And provided further, That where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area in Alaska, the Secretary of the Interior may issue prospecting permits for a term of not to exceed four years, under such rules and regulations and conditions as to development as he may prescribe, to applicants qualified under this act, for not to exceed 2,560 acres, and if within the time specified in said permit the permittee shows to the Secretary of the Interior that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or any part of the land in his permit.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Oregon asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Oregon has 20 minutes and the gentleman from Texas has 20 minutes.

Mr. SINNOTT. Mr. Speaker, I do not feel that this bill needs any further explanation than has already been made, except to say that this is a measure which has been introduced at the request of the Secretary of the Interior, who sent it to Congress on the recommendation of the Interdepartmental Alaskan Board, which is a board made up from the various bureaus that deal with Alaskan affairs. It merely provides for a prospecting permit in Alaska, the same as we incorporated into the coal and oil leasing act.

I reserve the remainder of my time.

Mr. CURRY of California. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. CURRY of California. I understood the gentleman to refer to an Interdepartmental Alaskan Board.

Mr. SINNOTT. Yes.

Mr. CURRY of California. Can the gentleman cite me to any law creating such a board?

Mr. SINNOTT. No; I am not familiar with any law creating the board. It was created in the departments and consists of a representative of the Secretary of the Interior, a representative of the Secretary of State, a representative of the Secretary of Commerce, and of the various other departments that deal with Alaskan affairs.

Mr. CURRY of California. Do you know of any law authorizing the Secretary of the Interior to create such a board?

Mr. SINNOTT. No; I am not familiar with that; it may be an informal board called together for the purpose of discussing Alaskan affairs.

Mr. CURRY of California. Does not the gentleman think that Congress has permitted the Secretary and the heads of bureaus to exercise powers and functions not authorized by law long enough without our recognizing the right of the Secretary of the Interior to do it when there is no law whatever to create such a board?

Mr. SINNOTT. What I am impressed with is the merits of the recommendation rather than the legality of the creation of the board.

Mr. CURRY of California. As a Member of the House, I would prefer to have the chairman of the committee recognize them as individual citizens and not as occupying official positions.

Mr. SINNOTT. The chairman has recognized the Secretary of the Interior rather than the board.

Mr. McCLINTIC. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. McCLINTIC. I notice that the bill provides for the issuing of permits for 2,560 acres; does that mean that one person can get 2,560 acres?

Mr. SINNOTT. No one permit can exceed 2,560 acres. That is the maximum he may take now under the coal laws relating to Alaska. I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the present law provides that the Secretary of the Interior shall lease coal lands and the royalty shall be fixed at a certain price per ton. This does not change that law in any respect, except that it goes what the other law should have done, namely, authorizes the Secretary of the Interior to issue permits to any person to prospect for coal in Alaska. If by any chance he finds coal, he may then enter into a lease for its production on the permit provided in the existing law. It seems to me the addition to the law that now exists which is provided in this bill is a provision which ought to have gone into the law originally when it passed. There can be no wiser provision than the one sought to be enacted in this law, because it enlists the cooperation of private individuals with their own capital to develop coal in the territory where coal is very much needed. We ought to encourage the activity and initiation of private individuals to the extent that it is possible to encourage it. If there is any other way that such encouragement could be given in addition to that provided in this bill it should be added. I think this covers the case and accomplishes the object.

Mr. KING. Is the issuance of the permit entirely discretionary with the Secretary?

Mr. MADDEN. I should judge so; it should not be discretionary with anybody else. He ought to have the only authority, because the Secretary of the Interior has jurisdiction over the public lands.

Mr. KING. And he can withhold the permit if he desires?

Mr. MADDEN. Certainly.

Mr. CROWTHER. Does this apply only to individuals, or can a large corporation go in and prospect for coal?

Mr. MADDEN. Yes.

Mr. CROWTHER. How many acres can they take up?

Mr. MADDEN. Two thousand five hundred and sixty acres is the limit that any company or corporation can take.

Mr. CROWTHER. Suppose they divide up into two or three corporations?

Mr. SINNOTT. There are provisions in the law to specifically guard against anything of that kind.

Mr. BLANTON. Mr. Speaker, there are two things which prevent the passage of sane legislation in the House of Representatives. One of these things is the want of intimate knowledge on the part of the membership concerning what the bill contains and its real effect under the law. The other reason that prevents sane legislation from being passed is what we know here on the floor as the courtesy custom among our colleagues. That is, if our friend from Oregon has a certain bill here that is his pet measure, which he wants to pass, he is our friend, we like him, and we want to accommodate him, because, forsooth, he is our friend and we must therefore support his bill. It is those two things which prevent the passage of only the right kind of legislation in this House. This is no time, in the closing hours of Congress, to bring up measures of importance, when the Members have no intimate knowledge whatever of what they contain. Let me call your attention to some of the measures that we have rushed through here in the closing of this Congress. Yesterday there came to us from the other body at the other end of the Capitol an amendment on an appropriation bill which prevented under the former decree of the House, and which, therefore, we had passed, the instruction being sent to the Secretary of War to sell at once 2,000 tractors which the farmers of the country are anxious to have placed on the market. What was the result of that action? If the membership of this House had understood the proposition that amendment of the Senate would have been turned down and that instruction would have been sent to the Secretary of War. For these tractors should be sold. What are the facts in that respect? There are several thousand tractors now in the hands of the Secretary of War which have been deteriorating in value ever since the armistice was signed.

Why have they not been sold? The farmers of the country want them. It is because there has been a secret understanding between the Secretary of War and the manufacturers that he will not flood the market with them. When this House put that proper provision in the bill, providing that those 2,000 tractors should be sold at once, and that bill went to the Senate, a howl was heard from the manufacturers somewhere, and out of that bill by way of Senate amendment that matter was stricken. Yesterday when the matter came up for decision here I forced a roll call upon it, and only four men, I think it was, voted to require those tractors to be sold. If all my colleagues had understood the matter, there would have been no question about the result.

Let me call your attention to other matters which we have hurriedly passed in the closing hours of this Congress. Last week on an appropriation bill, from the Senate, came four different amendments, every one of them voting out large sums of money, being what are known as the Mississippi Valley claims. One of them amounted to \$362,140.98; another to \$204,307.98; another, if I am not mistaken, to nearly \$125,000; and another one to \$15,561.23, if you please—claims of that character coming in as riders on appropriation bills. The distinguished chairman of your Appropriations Committee, the gentleman from Iowa [Mr. GOOD], got up on the floor and read to those few who were present the statement of the Secretary of War in substance that it would be outrageous to allow those claims and advising not to pass them, and we know that if Congress allowed them it would open up the doors of the Treasury to a billion dollars of such claims now existing. Mr. GOOD tried to keep those claims from passing, and when he forced a record vote upon them, if you will look at the RECORD you will see that there was a minority who voted against them, and they all passed.

Let me call your attention to another one. There has been pending here in the House of Representatives ever since I have been here, for four years, a claim for \$714,007.39, known as the McClintic-Marshall Construction Co. claim, for building the Gatun Locks on the Panama Canal.

When I was on the Committee on Claims in the Sixty-fifth Congress, when the manager of that firm was down before the

committee he gave some testimony, and I would like for you to look into the Record and into the minority report which I filed and see his testimony. There is not a man in this House who is unprejudiced who will read that man's testimony who would have voted for that bill. I had the old contract dug up in the Treasury Department. I had an auditor give us a statement, in which he said that in addition to the contract price we had paid the McClintic-Marshall Co. an extra sum of about \$400,000, if I remember correctly, at the end of the contract more than the contract price. They were then coming in here wanting nearly a million dollars more, and because Gen. Goethals, forsooth, recommended the payment of it Congress took the position that it ought to be paid. This is the distinguished Gen. Goethals who during the war wanted this Government to pay several million dollars more for steel than the President thought ought to be paid, and you will remember that the President took him out of that job and put somebody else in his place. The President did not take his judgment of what we should pay for steel.

Mr. CLARK. Mr. Speaker, I make the point of order that the gentleman from Texas is not addressing himself to the bill under consideration, and, therefore, he is out of order.

The SPEAKER. The Chair has listened to the gentleman, and he has not thought that the gentleman has been discussing the bill.

Mr. BLANTON. I am trying to show the Congress that if matters of that kind are considered in the closing hours of Congress we are liable to make mistakes.

The SPEAKER. The Chair will not hear the gentleman argue. The gentleman must confine himself to the bill.

Mr. BLANTON. I think I shall confine myself to it. I want you Members to get the Record of a month ago and read the testimony in this case which I then put into the Record at the time I last objected to its consideration.

Mr. DOWELL. Mr. Speaker, I make the point of order that the gentleman is not complying with the order of the Chair.

The SPEAKER. The gentleman will confine himself to the bill.

Mr. BLANTON. I want to quote concerning such claims as this.

The SPEAKER. The gentleman must take his seat when the point of order is made and sustained.

Mr. BLANTON. I thought the Chair sustained me.

The SPEAKER. As the Chair recollects, the rule of the House provides that the gentleman can proceed only by the consent of the House.

Mr. BLANTON. When the point of order is made the Member takes his seat until after it is decided.

The SPEAKER. The Chair will quote the rule, being paragraph 4 of Rule XIV:

If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any Member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate.

Mr. BLANTON. After the Chair decides does not the Member resume the floor?

The SPEAKER (reading)—

He shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate; if a decision is in favor of the Member called to order, he shall be at liberty to proceed, but not otherwise.

The Chair does not wish, if this is new to the gentleman—

Mr. BLANTON. It is a new rule to me.

The SPEAKER. The Chair has read from one of the rules of the House.

Mr. BLANTON. That never has been enforced on a Member since I have been here.

Mr. KING. Mr. Speaker, I ask unanimous consent that the gentleman may proceed out of order for 10 minutes.

Mr. KNUTSON. I object.

The SPEAKER. The Chair thinks the proper motion is to ask that he proceed in order.

Mr. KING. I move that the gentleman proceed in order.

Mr. JOHNSON of Mississippi. I ask that the gentleman may be permitted to proceed in order.

Mr. KNUTSON. I object.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the gentleman proceed in order.

The question was taken.

The SPEAKER. The ayes have it, and the gentleman will proceed in order.

Mr. BLANTON. Mr. Speaker, I am just trying to convince my good friends that this is no time to take up this mining bill, which involves the splendid coal deposits out in Alaska. This House knows how many hundreds of thousands of dollars we have spent for the development of the great Northwest.

Mr. SMITH of Idaho. If the gentleman will yield, will the gentleman kindly indicate how much coal development there has been in Alaska under the present law during the last six years?

Mr. BLANTON. Just a minute, I will get to that. We have built a railroad out in Alaska that has cost an immense sum of money. We have been told that one of the greatest coal deposits known to geology is out in Alaska, and that when properly developed it will furnish every ton of coal that the Government will need for the Pacific coast.

Mr. McARTHUR. Will the gentleman yield?

Mr. BLANTON. Just a moment, please. We have heard of the Guggenheims and their grabbing up things in Colorado and other places. Without this bill they can not grab the coal lands in Alaska, but with this bill they can send their expert geologists out there, they can explore that country, and each person who applies, if the Secretary of the Interior desires to give him a permit, can get an exploration permit that covers 2,560 acres of land.

The Guggenheims can send five men out there, each one of them can obtain an exploration permit, and each one of them could cover 2,560 acres of land under an exploration claim for four years, and finally gobble up all the coal. Every bit of these coal deposits might be embraced within those five holdings of 2,560 acres each. Coal deposits are not scattered all over the country broadcast; they are in pockets here and there; and when discovered, men like the Guggenheims can get control and other men and the Government are cut out. How much under this law and this bill would the Government get out of it? A little 2 cents a ton for coal. Two cents a ton. That is about the kind of division that is usually made with the Government. We paid as high as \$15 a ton for coal here in Washington this winter, but the Government is to get 2 cents a ton under the bill and under the law that now exists. Now, if my friend thinks this is a proper time, when everybody's mind is stirred up by many things, when there is not a proper normal equilibrium here in this House, when your minds are on other things—if you think it is a proper time to take up important measures which may mean hundreds of millions of dollars to the people of this country, then go at it, go at it, but I am performing my duty as a Representative in the House of Congress, registering here my feeble protest, and doing it earnestly, honestly, and conscientiously. Now I will yield to the distinguished gentleman from Idaho, who has something on his mind.

Mr. SMITH of Idaho. I desire to inquire of the gentleman if he knows how much coal has been developed in Alaska during the last six years—that is, under the present law—and if he is aware of the fact that that law has not worked well, and this proposed legislation possibly will be helpful in developing the coal resources of Alaska?

Mr. BLANTON. The gentleman from Idaho [Mr. SMITH], who seems to be so much interested just now, all of a sudden, in the immediate development of coal in Alaska, has been seated in this House for the last two years, and not a time has he risen in his seat during the two years and said, "Mr. Speaker, we must pass an emergency coal-leasing law for Alaska," but he sits in his seat and waits until we are about to close Congress, when everything is in a stir, when the Capitol is turned upside down, and all the east end of it is turned over to the Ways and Means Committee. Then he comes in all of a sudden and says that if you do not pass this coal-leasing bill, God knows the Government is going to perdition.

Mr. CLARK. Will the gentleman yield for a question?

Mr. BLANTON. I can not refuse.

Mr. CLARK. Does the gentleman mean, when he says the Capitol is turned upside down, to refer to the controversy he had with his colleague a few days ago, Mr. SUMNERS?

[Laughter.]

Mr. BLANTON. In due time that matter will be answered. And if the gentleman from Florida had been here, he would have been one man who would have stood up and said, "Mr. Speaker, I am one man for the salary increase." Would you not? Because he is a man who stands for what he stands for.

[Laughter.]

Now, I have used up all the time I want. I have not taken up this time idly. I have not tried to get out of the Record. I have tried to perform my duty in the matter, and if you outvote me, it will not be the first time you have done it.

[Laughter.]

Mr. SINNOTT. Mr. Speaker—

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. SINNOTT. Mr. Speaker, I desire to yield five minutes to the gentleman from Oklahoma [Mr. FERRIS]. [Loud applause.]

Mr. FERRIS. Mr. Speaker, I had not intended to consume any time on this or any other bill. It is late in the session. My duties as a Representative in Congress are through. How-

ever, a word may not be out of place on an amendment to a bill that was committed to my charge.

Six years ago the Public Lands Committee, by the aid of the Interior Department, passed for Alaska the best sort of a law it knew how to pass. We did not think it was perfect then, but we did our best. We had no selfish interest to serve. We were engaged in trying to conserve the Nation's resources and develop Alaska. It has not proved to be perfect. Bills are so seldom perfect. It was so tight and so rigid in its terms that the coal men could not make a success under it. It was not sufficiently attractive to them. The transportation question makes it necessary to have the law liberalized. We had hoped to conserve every interest that the Government had, but we really conserved the interest so securely that the coal could not be mined and worked. It is not being worked. That great estate is lying idle. People are moving out of Alaska. A territory rich in resources is not being developed. So true is that that coal had to be shipped from the United States to Alaskan coal consumers. The Secretary of the Interior, Mr. Payne, has asked the distinguished chairman of the Public Lands Committee [Mr. SINNOTT] to introduce this bill and let the coal men have four years—a permit merely to investigate and ascertain if conditions are feasible for the operation of a coal mine. Large expense is necessary to operate a coal mine in Continental United States, and correspondingly more in remote Alaska, with frigid climate and poor railway facilities.

Investigations must be made. That Territory is remote from the United States. It was necessary to go into it at great length and spend large sums of money. The Secretary asked Chairman SINNOTT to introduce the bill, and he did it. Every member of the Committee on the Public Lands has asked this relief, and the Alaskans asked for it. It only grants a permit of four years, to let the coal operators ascertain whether or not they can work under the law at all. I submit, the Congress ought to do that much for Alaska, that they ought to do that much for the coal field, that they ought to do that much for the coal operators, and that they ought to do that much for the consuming public, who really want to utilize the Alaskan coal. There is no well-founded reason for any furor about this bill. It is proper legislation—not only proper but necessary.

Mr. Speaker, I yield back any time I may have remaining. [Applause.]

The SPEAKER. The question is, Shall the House suspend the rules and pass the bill?

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 181, noes 2.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays, and pending that I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] The Chair has counted a quorum, and without counting all of the Members present.

Two-thirds having voted in the affirmative, the bill is passed.

CENSUS OF THE ARMY AND NAVY.

Mr. SIEGEL and Mr. SINCLAIR rose.

The SPEAKER. The Chair will recognize the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 251 and pass the same.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table and pass Senate Joint Resolution 251, which the Clerk will report.

The Clerk read as follows:

Senate joint resolution 251, to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy.

Whereas it appears that in making an enumeration of persons in the Army and Navy for the Fourteenth Decennial Census, in the judgment of the Director of the Census it was impracticable to do otherwise than, with the official sanction of the Army and Navy, employ officers and enlisted men of the Army and Navy as enumerators, and that such officers and enlisted men were duly employed to make the enumeration and were promised compensation at the rate of 3 cents for each person enumerated; and

Whereas the vouchers for such compensation have been disallowed by the accounting officers of the Treasury Department on the ground that payment thereof was unwarranted; and

Whereas it further appears that in the judgment of the Director of the Census the census of the military and naval forces was taken more accurately by reason of the assurance of compensation to such enumerators than if it had been taken under orders of the War Department; Therefore be it

Resolved, etc., That the appointment of such enumerators be, and the same is hereby, validated and that the moneys appropriated for the Fourteenth Decennial Census are hereby made available for the payment of their services as such enumerators.

Mr. CANNON. Mr. Speaker, I would like to make an inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Is the request to consider generally the Senate bills, or just this bill alone?

The SPEAKER. This bill alone.

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask, under the reservation of the right to object, whether or not it is the intention of the Chair to recognize bills called from the floor or as they appear upon the printed calendar?

The SPEAKER. The Chair ruled that we would follow the printed calendar, but this is a bill on the Speaker's table, and the Chair recognized the gentleman from New York [Mr. SIEGEL].

Mr. MCCLINTIC. Mr. Speaker, reserving the right to object, if I understood the gentleman correctly he said that this was a resolution to pay men in the Army.

Mr. SIEGEL. It is to pay the soldiers and sailors who were asked to take the census while the census was being taken. They were each promised 3 cents a name. They did the work. The money long ago was appropriated, but a question arose as to the propriety of the payment, because they were in the employ of the Army and Navy, and they have not been able to get the money.

Mr. MCCLINTIC. The men were already drawing pay from the Army?

Mr. SIEGEL. This work was done at the request of the Director of the Census.

Mr. MONDELL. Will the gentleman tell us how much is involved?

Mr. SIEGEL. Less than \$5,000.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BEE. Let me say this to the gentleman from Oklahoma in order that you may have a concrete illustration: At Fort Sam Houston, Tex., there is a considerable population of from 25,000 to 35,000. Those soldiers were detailed by their commanding officers to go through the tedious, long-drawn-out work of census enumerators, under the promise that they would be compensated at the rate of other enumerators.

Mr. MCCLINTIC. My thought was that they were already receiving compensation.

Mr. BEE. They were. This work was done in extra hours.

Mr. SIEGEL. Yes. This work was done in extra hours.

Mr. BLANTON. They get this as extra pay?

Mr. SIEGEL. Yes.

Mr. BLANTON. This extra pay is the same pay that other census enumerators received?

Mr. SIEGEL. Surely.

Mr. BLANTON. The gentleman is aware of the fact that the census enumerators elsewhere give all their time to this work and receive no pay from anywhere else?

Mr. SIEGEL. Oh, yes. But many of these enumerators got 4 or 5 cents a name. The soldier boys and sailors were promised 3 cents.

Mr. BLANTON. Supervisors who gave their entire time received less than enough to pay their expenses in some instances.

Mr. SIEGEL. I do not think that is correct.

Mr. BLANTON. Is not a bill pending before the gentleman's committee to pay them extra?

Mr. SIEGEL. Oh, yes. They want a thousand dollars' bonus.

Mr. BLANTON. I object.

Mr. SIEGEL. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill. Is a second demanded?

Mr. WINGO. I demand a second.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from New York asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and in the opinion of the Chair two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

FEDERAL BUILDING AND SITE AT GASTONIA, N. C.

Mr. HOEY. Mr. Speaker, I ask unanimous consent to take up Senate bill 4332, to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take up Senate bill 4332. Has the gentleman got a copy of the bill?

Mr. HOEY. Yes.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the bill. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to exchange and convey to the Citizens National Bank of Gastonia, N. C., by the usual quitclaim deed, the present Federal building and site at Gastonia, N. C., for the site at the northwest corner of South Street and West Franklin Street, in said city, offered by said bank, and in addition to said land said bank shall pay to the Secretary of the Treasury \$175,000 to cover the cost of the erection of a stone-faced public building thereon adequate and suitable for the needs of the United States in such city. The present Federal building and site to remain in the custody and control of the United States until the completion of the proposed new building.

That upon the said new site, when acquired as aforesaid, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable and commodious building, with fireproof vaults, heating and ventilating apparatus, approaches, etc., for the accommodation of the post office and other governmental offices in said city, at a limit of cost, exclusive of the site, of not exceeding \$175,000, which is hereby appropriated. Said amount being hereby authorized and made available from the moneys to be paid to the Secretary of the Treasury by said Citizens National Bank of Gastonia, N. C., as hereinbefore mentioned.

With a committee amendment as follows:

Page 2, line 12, strike out the words "which is hereby appropriated."

Mr. GARD. Reserving the right to object, Mr. Speaker, is this bill the one which provides for the transfer of the present site of the post office at Gastonia to another site in the same city and provides also for the payment by the grantee of the old site of \$175,000 to erect a new post-office building? It seems to be a rather unusual contribution. Has it the approval of the Secretary of the Treasury?

Mr. HOEY. Yes, Mr. Speaker and gentlemen. This bill provides for the exchange of the present post-office site in the town of Gastonia to the Citizens' National Bank, and the Citizens' National Bank submitted to the Government a proposition to give them a new site, because the present building is insufficient, and they would furnish in addition to this new site a sum sufficient to erect a new building, not to exceed \$175,000. The Supervising Architect has recommended it, and the Treasury Department has recommended it. The estimate was not to exceed \$160,000, but in order that there might be no possibility that the Government would incur any expense under it, the bank will put up an amount not exceeding \$175,000.

Mr. MADDEN. Mr. Speaker, will the gentleman yield to me?

Mr. HOEY. Yes.

Mr. MADDEN. How long has this building that is proposed to be sold been erected?

Mr. HOEY. This building was erected in 1916; but the town of Gastonia made the largest percentage of increase in population at the recent census of any town in the United States.

Mr. MADDEN. How much did the building they now have cost?

Mr. HOEY. Sixty-six thousand dollars.

Mr. MADDEN. How much did the ground cost?

Mr. HOEY. Fourteen thousand five hundred dollars.

Mr. MADDEN. That makes \$80,000.

Mr. HOEY. Eighty thousand dollars.

Mr. MADDEN. What is proposed to be done?

Mr. HOEY. The Government estimates the value of the site which is to be given to the bank at \$27,000, but the value of it is nearer \$50,000. In addition to that, the bank pays \$175,000 more.

Mr. MADDEN. Why does the bank want to do this?

Mr. HOEY. There are two reasons: One is that the bank likes the present location of the post office, and the other reason is that the present post-office site is so small that no addition can be made to the building.

Mr. MADDEN. How does it happen that only four years after the erection of the building it is suddenly discovered that what they expended \$80,000 on is not what they want?

Mr. HOEY. I started to state that. The town of Gastonia has made a growth of 123 per cent.

Mr. MADDEN. What is the population?

Mr. HOEY. Twelve thousand eight hundred and fifty.

Mr. MADDEN. And we propose to put up a building to cost \$175,000 in a town of 12,850 people?

Mr. HOEY. Yes; and the bank pays for every dollar of it.

Mr. MADDEN. I object.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman withhold his objection? What is the objection to letting the people of this city construct a post-office building, to cost \$175,000 or \$1,175,000, if they furnish the money and there is no expense to the Government? [Applause.]

Mr. MADDEN. This is my objection to it: In the first place, we put up a building there in 1916 which was presumably fit

for the public needs. Now it is suddenly discovered that that building is not fit for what we put it up for, and it is proposed to sell that building for \$175,000 and a vacant lot.

Mr. MANN of Illinois. It is proposed to sell the land for what it is worth and have them contribute \$175,000.

Mr. MADDEN. That is not the proposition.

Mr. MANN of Illinois. Yes; it is.

Mr. MADDEN. The proposition is that the bank is going to give them a vacant lot said to be worth \$27,000 and put up a building to cost \$175,000. That is the proposition, if I understand it.

Mr. MANN of Illinois. Yes.

Mr. MADDEN. Now, if we can sell this building for \$175,000 or \$202,000, as the case may be, why not sell it and put the money into the Treasury?

Mr. MANN of Illinois. We could not sell it for \$75,000 except to this bank.

Mr. MADDEN. This town is going to get a new public building, something that no other town in the United States is going to get.

Mr. MANN of Illinois. And it will not cost the Government anything.

Mr. MADDEN. The great city of Chicago would like to have a public building.

Mr. MANN of Illinois. And if the city of Chicago put up four or five million dollars I think the Government would let us do it.

Mr. MADDEN. I object.

Mr. HOEY. I move to suspend the rules and pass the bill as amended.

The SPEAKER. The gentleman moves to suspend the rules and pass the Senate bill as amended. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is a second demanded?

Mr. MADDEN. I demand a second, Mr. Speaker.

Mr. HOEY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

SEVERAL MEMBERS. Vote! Vote!

Mr. WALSH. I think when a motion to suspend the rules is made the bill ought to be reported.

The SPEAKER. The Chair thinks it should be again reported as amended. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to exchange and convey to the Citizens National Bank of Gastonia, N. C., by the usual quitclaim deed, the present Federal building and site at Gastonia, N. C., for the site at the northwest corner of South Street and West Franklin Street, in said city, offered by said bank, and in addition to said land said bank shall pay to the Secretary of the Treasury \$175,000 to cover the cost of the erection of a stone-faced public building thereon adequate and suitable for the needs of the United States in such city. The present Federal building and site to remain in the custody and control of the United States until the completion of the proposed new building.

That upon the said new site, when acquired as aforesaid, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable and commodious building, with fireproof vaults, heating and ventilating apparatus, approaches, etc., for the accommodation of the post office and other governmental offices in said city, at a limit of cost, exclusive of the site, of not exceeding \$175,000. Said amount being hereby authorized and made available from the moneys to be paid to the Secretary of the Treasury by said Citizens National Bank of Gastonia, N. C., as hereinbefore mentioned.

Mr. HOEY. Mr. Speaker, I desire to reserve my time.

SEVERAL MEMBERS. Vote! Vote!

Mr. MADDEN. You can get plenty of time to vote. Do not be in a hurry. I do not take up much of the time of the House, and I think this is a question upon which somebody should be heard.

There is in this town down here in North Carolina a public building said to have cost \$80,000 in 1916. Nobody knows how much it is worth to-day. It may be worth \$200,000. Yet we propose to sell it to a bank, and the bank gives us a vacant lot, and the gentleman from North Carolina [Mr. HOEY] says the vacant lot is worth \$27,000. Nobody knows whether it is worth a cent or not. We have not had any report from any official authority to say what it is worth. Then the gentleman says the bank, in addition to that, is going to put up a building to cost \$175,000. Now, how do we know that? If we are going to sell the property that we own, the money ought to go into the Treasury, and if we are going to erect a new building in this town it ought to be appropriated for in the ordinary way. Now, of course, the gentleman from North Carolina realizes that

he could not get an appropriation for a building in his town, as nobody else in the United States can.

We have not been appropriating money at this session for any public buildings in any city in the United States. The gentleman from North Carolina is smarter than anybody else or some Senator thinks that he has an opportunity to make a trade by which they can get a new public building by indirection when they can not get it directly. I do not propose to stand here and submit to any city in North Carolina or any other city getting by indirection out of the Treasury of the United States that which they would not be able to do by direct appropriation. I know that the leader of the House says that he wants this bill passed; that objection ought not to be made; but if anybody came to him and said that they wanted an appropriation for a building anywhere in the United States he would say, "No, sir; not under any circumstances." The Committee on Public Buildings and Grounds of this House have tried day after day to report a public building bill, and there are many cities in the Union that would like a public building—in many cities where they need them—but I apprehend that there is no need of a public building in this place, where we already have an elegant building.

It will not do to say that we are not making an appropriation. We are, where we are disposing of the property that we already own and in which we transact public business. Who can say to-night that this building we own is worth only \$80,000? Who can say that this building we are proposing to get is worth \$175,000? Who can say that it is wise for us to transfer Government property to a bank? Who knows what the bank wants to make the trade for, or how much advantage it will be for the bank and how much disadvantage for the Public Treasury? For myself I unhesitatingly say that it ought not to be done. We have given no study to the question. The Senate passed the bill, it is true, but you can pass a tapeworm through the Senate without any consideration. [Laughter.]

Mr. CANNON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CANNON. What kind of a building is it proposed to erect, a frame or brick building, and who makes the plans?

Mr. MADDEN. Nobody knows; we have not been told; the bill comes up under a request for unanimous consent, which is refused, and then comes a motion to suspend the rules, and there is no opportunity for amendment.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HULL of Iowa. Has the gentleman read the report of the Secretary of the Treasury?

Mr. MADDEN. I have not.

Mr. HULL of Iowa. Here is the report, containing an answer to every question the gentleman has asked.

Mr. MADDEN. It makes no difference what the Secretary of the Treasury says about it; I say the general policy ought to be if there is going to be a public building it ought to be where it is needed, and not where we already have an adequate public building in which we are doing business. We ought not to sell Government property to accommodate any private individual.

Mr. HOEY. Mr. Speaker, this bill was recommended by the Secretary of the Treasury. An expert went down and made a thorough examination. He passed on the value of the vacant property, of the vacant lot. It was passed in the Senate unanimously. It was submitted to the House Committee on Public Buildings and Grounds and received a unanimous report. There is no suggestion from any quarter that it has not merit, as far as the value is concerned.

I started to say a moment ago that one reason why the present building is inadequate is on account of the marvelous growth that the city has made—123 per cent since the building was erected. There are now over 150 applications for boxes that can not be supplied. The present site is inadequate. The new site is in the civic center of the town, next to the county courthouse. Now, it is provided that the \$175,000 is to be paid to the Secretary of the Treasury in the regular way and the building will be constructed by the Treasury Department.

Mr. MADDEN. And for every dollar that was estimated in 1916, to-day to do the same work, with the same material, would cost \$2.

Mr. HOEY. The estimate was made last year, when material and labor were high, and they estimate that the building would not cost over \$100,000, but in order to be safe the bank offers to pay \$175,000 if necessary.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, I am on the Committee on Public Buildings and Grounds that heard this case, and we were satisfied after the hearing that there was nothing wrong in this proposition. I believe it is a

proposition that is safe for the House to pass. I think it went through the committee unanimously.

Mr. MADDEN. But the gentleman must realize that it will cost \$3 to-day to do what every dollar did in 1916.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

FEDERAL FARM LOAN ACT.

Mr. DALE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4664) to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc. That the first paragraph of section 20 of the act of Congress approved July 17, 1916, as amended by the act of Congress approved April 20, 1920, be amended to read as follows:

"SEC. 20. That bonds provided for in this act shall be issued in denominations of \$40, \$100, \$500, \$1,000, and such larger denominations as the Federal Farm Loan Board may authorize; they shall run for specified minimum and maximum periods, subject to payment and retirement, at the option of the land bank, at any time after the minimum period specified in the bonds, which shall not be longer than 10 years from the date of their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than \$50,000, the amount and terms to be fixed by the Federal Farm Loan Board. They shall bear a rate of interest not to exceed 5 per cent per annum."

The SPEAKER. Is a second demanded?

Mr. WINGO. Mr. Speaker, I demand a second.

Mr. DALE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. DALE. Mr. Speaker, I have asked for the consideration of this bill under these circumstances because of the urgent importance of time in the matter. This bill changes the present law in a very slight respect, in one particular. It simply relates to the call period of the bonds of the Federal Farm Loan Association. Under the present law the minimum call period is five years. That is, you understand that if a bond is issued by the Federal Farm Loan Association in which the minimum period is 5 years, the maximum period may be 10, 15, or 20 years, and yet lying back of the specified time in the bond is this law which says that the bond may be called at the end of the 5-year period. Therefore, as a bond on the market, it will be seen that it lessens its value by being subject to call, even though the time may be specified as a longer time.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. DALE. Yes.

Mr. CANNON. As I understand the Federal farm loan law, it is all for one and one for all, and if one organization fails, then the organizations under the law as it is must make up the deficit. If all the organizations do not agree to this, if Congress should pass this law, and there should be failures, how about the balance of the organizations? Could it be collected?

Mr. DALE. Let me say to the gentleman from Illinois that this bill relates only to the call period in the bonds issued by the association. It has no reference to the mortgages of the association, but simply the bonds issued on which the money is raised to loan out on the mortgages.

Mr. CANNON. It has been loaned now and the holders have it, but if Congress enacts a law changing the liability, without the assent—

Mr. DALE. But it does not relate to the liabilities of mortgages at all. It relates simply to the bonds that are issued by the association.

Mr. CANNON. Are not the bonds secured by the land upon which the mortgages are issued?

Mr. DALE. That is true.

Mr. CANNON. I used to be somewhat of a jackleg lawyer, and it seems to me there would be danger that if you did not have the assent of the people who have to pay the loss, that you would release the people from that liability by the law. I make that suggestion.

Mr. DALE. I would suggest to the gentleman that I do not quite see how this affects the liability in any particular. It does not affect the liability of the farmer who gives the mortgage in any way. It is the association that issues the bond on which the money is raised and loaned to the farmer.

Mr. CANNON. Precisely.

Mr. DALE. This bill simply changes the present law in this particular. While the call period at the present time under the present law is limited to 5 years, this bill extends the time

to 10 years, so that the Federal Farm Loan Association can issue bonds the call period of which may be 10 years instead of 5.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. DALE. Yes.

Mr. JOHNSON of Mississippi. I am much in sympathy with the gentleman's position. As I understand it in the bonds that you propose to sell now the call period will be extended from 5 to 10 years, thereby making them much more attractive to buyers.

Mr. DALE. Precisely; that is the purpose.

Mr. JOHNSON of Mississippi. Thereby enabling the farmer to raise money with which to carry on his crops?

Mr. DALE. It would seem to me that the law as amended by this bill if enacted into law would lessen the liability—

Mr. JOHNSON of Mississippi. Why, surely.

Mr. DALE. Of the farmer rather than increase it.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. DALE. I will.

Mr. VOLSTEAD. The gentleman feels certain that they will be able to sell these bonds?

Mr. DALE. That is one reason why this bill is asked for. It is one purpose of getting this into the law. Of course, you gentlemen know the difficulty the Federal Farm Loan Association has had in selling its bonds. You know what has had to be done. Things have had to be done here in the House you and I felt were out of line with our best judgment; but we had to do that when ordinarily we would not give our approval, because we had to get the funds for this association for the reason that these bonds were not salable; that is, they were not very attractive on the market, but we had to get funds for the association. Now, the purpose of this law is to make them more attractive.

Mr. VOLSTEAD. Has the gentleman considered the proposition of increasing the rate of interest?

Mr. DALE. Yes; but that is objected to immediately. The minute you talk about raising the rate of interest above 5 per cent on the loans to the farmers you know what goes up all over the country. They say, why we can not do that.

Mr. VOLSTEAD. They would rather have the loans than no money.

Mr. DALE. There is a lot more I would like to say, but I have some one who can tell you much more about this, and I want to yield to him.

Mr. JOHNSON of Mississippi. Just this question: Now, if the gentleman's bill passes it will enable these farmers to raise money through this association, and if it does not pass there is danger of these men having to pay more for money they would borrow?

Mr. DALE. It would result in just what the gentleman from Minnesota indicated. The only relief that you can get under this condition is to raise the rate of interest from 5 to 5½ or 6 per cent.

Mr. JOHNSON of Mississippi. Increasing the call term to 10 years will make the bonds more attractive?

Mr. DALE. All of which makes them so much more attractive.

Mr. JOHNSON of Mississippi. And facilitates the sale of bonds.

Mr. RANDALL of California. What effect will making the farm-loan bonds attractive have on the Liberty bonds?

Mr. DALE. There will not be any.

Mr. RANDALL of California. If the bond buyers are attracted by the farm-loan bonds, they will not want to buy Liberty bonds?

Mr. DALE. Yes; but the gentleman will remember that we had to take care of \$200,000,000 of these bonds when we were selling Liberty bonds. We had to do it.

Mr. RANDALL of California. Will the Liberty bonds be worth more or less under this provision?

Mr. DALE. I do not think it makes any difference. I yield the remainder of my time to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Speaker and gentlemen of the House, the purpose of this bill is to increase the optional period of the Federal farm loan bonds from 5 years to 10 years. This will increase the attractiveness of the bonds to the purchaser and will enable the board to offer the bonds at a decreased rate of interest, and to that particular proposition I will address my remarks. At the present time bonds are limited to five years' optional period before they can be called. Now, a bond bearing 5 per cent interest on its face and offered on a basis to earn 4½ per cent for five years would be worth 102.22. That is, a \$1,000 bond would be worth \$1,022.20.

But if the optional period were increased to 10 years, that same bond would be worth \$1,039.90, or \$17.70 more—be worth that much more to the sellers of the bond; that is, to the farmers of the country—and that would effect in itself the reduction of about a quarter of a cent per year in the interest rate. If the bond buyers were willing to accept 4½ per cent interest on their investment, the \$1,000 bond would be worth \$1,033.50 for a five-year period, but if the optional period were increased to 10 years it would be worth \$1,080.60, or, the bond would be worth to the seller \$27.10 more than it is now. This would decrease the interest rate about one-third of 1 per cent. But, if the bond buyer who was willing to earn 4 per cent on his investment, which is a fair rate of return on tax-exempt securities of first-class character, the bond would be worth \$1,044.90 for the five-year period; but if we pass this bill and increase the optional period to 10 years the bond would be worth \$1,081.80, or \$36.90 more to the seller, which would effect a reduction in the interest rate of nearly one-half of 1 per cent. So that by increasing the time from 5 to 10 years we increase the attractiveness of the bond to the purchaser and at the same time decrease the interest rate to the farmers who have to pay it.

The investment demand is always for long-term securities; that is, for a long term before the optional period expires. Purchasers desire in investing their money to obtain securities that will run for a considerable period of time.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. HAWLEY. I will.

Mr. MADDEN. How will that affect the bonds already issued?

Mr. HAWLEY. It will not affect them at all in my opinion. We do not propose to invalidate the obligation of any contract now outstanding. The legislation proposed relates only to future issues. There has been a general demand for the increase in the length of the optional period.

I have some knowledge of associations that would buy these bonds who do not care to buy a bond which may be called at the end of five years, because the time is so short in which to realize the amortization of any premium paid—and these bonds have been sold in times past at some premium—that it puts an element of speculation in the purchase that buyers of bonds for investment purposes do not care to assume. But if we increase the rate to 10 years, then we open the market for these bonds to a very much larger body of purchasers, who will buy them in considerable quantities if the time before they can be called for payment is extended.

Mr. WALSH. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. WALSH. Will not the effect of this be to depreciate the value of outstanding issues?

Mr. HAWLEY. Not necessarily, because the outstanding issues, most of them, have run for a considerable portion of the five-year period, and the investors who will receive their money for those bonds when called will be very glad to have an opportunity to reinvest that money in the longer-term bonds. [Applause.]

The SPEAKER. The time of the gentleman from Oregon has expired.

Mr. WINGO. Mr. Speaker, the only thing that this bill does is to amend the present law in one simple particular. On April 20, 1920, we changed section 20 of the act with reference to bonds, but we did not change the 5-year optional period. I will read section 20 as the present law exists, and read what we propose to substitute for it. Section 20 reads:

SEC. 20. That bonds provided for in this act shall be issued in denominations of \$40, \$100, \$500, \$1,000, and such larger denominations as the Federal Farm Loan Board may authorize; they shall run for specified minimum and maximum periods, subject to payment and retirement, at the option of the land bank, at any time after five years from the date of their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than \$50,000, the amount and terms to be fixed by the Federal Farm Loan Board. They shall bear a rate of interest not to exceed 5 per cent per annum.

Now, the language that we propose in the pending bill is the same, until it gets down to the question of the optional period, and it reads as follows:

Subject to payment and retirement, at the option of the land bank, at any time after the minimum period specified in the bonds, which shall not be longer than 10 years from the date of their issue.

In other words, under the present existing law, if the Farm Loan Board issues a 20-year farm loan bond, the investor who desires to buy that bond has no assurance he is buying a permanent investment—that is, a 20-year investment—because under the law there is an option of retirement at the end of five years. Now, that has had a tendency to depreciate the market value in some instances on farm loan bonds. Now, we propose

in this act to make it possible for the board to fix the minimum option period 10 years instead of 5. While we give the right, if they want it, to have it 1, 2, 3, 4, and 5, and up to 10, the latter is the maximum optional minimum period, and permits them to make it 10 years, and that is what we have intended to do in future years, namely, to have the 10-year optional retirement privilege.

Mr. WHITE of Maine. If a purchaser has at this time bonds of the Federal Farm Loan Board, when these new bonds are issued, with the preferred bonds, preferred because there is a longer callable period, do you not necessarily depreciate his existing bonds?

Mr. WINGO. Of course, theoretically you do.

Mr. WHITE of Maine. If you buy them and wanted to sell them, you would have to sell them in competition with this new bond of a preferred class, would you not?

Mr. WINGO. Has the gentleman in his mind the idea that anybody having these farm-loan bonds would be willing to sell them now?

Mr. WHITE of Maine. They would be hurt if they were to sell them for less than they paid for them.

Mr. WINGO. Yes. Let me tell the gentleman what the facts are: Bids were made on the market the day before the Supreme Court decision was announced in the case at 95, I believe, and no bonds sold for that. Yesterday 95½, as I recall, was bid, and no bonds were sold. Anyone who has those bonds now who sells them for less than par ought to have a guardian appointed for him, because he does not know what property is worth.

Mr. WHITE of Maine. Many of the bonds were bought at less than par.

Mr. WINGO. I can not follow the gentleman.

Mr. WHITE of Maine. You have a bond that you have paid for at par. It is callable in five years.

Mr. WINGO. The gentleman must know that there is a distinction between these bonds and bonds issued under an iron-clad, rigid rule, which a man has bought with his eyes wide open, for what they are worth. In this case you know that nobody, in fact, is going to suffer. Of course, theoretically, if you put out a more preferable bond, in theory it ought to bring a higher price than the other. But the fact is you can not buy farm-loan bonds on the market to-day. For illustration, to show that I know what I am talking about instead of guessing, I will say that a friend of mine to-day wanted to invest in those bonds, and he could not find them at par. They are gilt edge now, since decision of the Supreme Court.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. WINGO. Let me finish this. It has been stressed that these bonds would be more attractive to investors if they were put at 10 years. The main purpose here is to so provide that the business of the board and the business of the banks can be handled in a more businesslike way. That can be done better if they are handled in 10-year periods than if they are handled in periods of five years. I do not think the situation is as serious as some think. They think they ought to make them as attractive as possible. I know they could issue more on the same terms as the bonds now outstanding, and they could sell them overnight. But with a minimum period fixed, they can make the financial arrangements and the sinking fund and other requirements for the 10-year period at less expense and with less trouble than for a 5-year period.

I shall take the liberty of inserting in the RECORD the decision of the Supreme Court holding the farm loan act constitutional.

The matter referred to is as follows:

[Supreme Court of the United States. No. 199, October term, 1920. Charles E. Smith, appellant, v. Kansas City Title & Trust Co. et al., appellees. Appeal from the District Court of the United States for the Western District of Missouri.]

(Feb. 28, 1921.)

Mr. Justice Day delivered the opinion of the court.

A bill was filed in the United States District Court for the western division of the Western District of Missouri by a shareholder in the Kansas City Title & Trust Co. to enjoin the company, its officers, agents, and employees from investing the funds of the company in farm-loan bonds issued by Federal land banks or joint stock land banks under authority of the Federal farm loan act of July 17, 1916 (39 Stat., 360), as amended January 18, 1918 (40 Stat., 431).

The relief was sought on the ground that these acts were beyond the constitutional power of Congress. The bill avers that the board of directors of the company are about to invest its funds in the bonds to the amount of \$10,000 in each of the classes described, and will do so unless enjoined by the court in this action. The bill avers the formation of 12 Federal land banks and 21 joint stock land banks under the provisions of the act.

As to the Federal land banks, it is averred that each of them has loaned upon farm lands large amounts secured by mortgage, and after depositing the same with the farm loan registrar has executed and issued collateral trust obligations called farm loan bonds, secured by the depositing of an equivalent amount of farm mortgages and notes;

and that each of said Federal land banks has sold and is continuing to offer for sale large amounts of said farm loan bonds. The bill also avers that various persons in different parts of the United States have organized 21 joint-stock land banks, the capital stock of which is subscribed for and owned by private persons; that the joint-stock land banks have deposited notes and mortgages with the farm loan registrar, and issued an equivalent amount of collateral trust obligations called farm loan bonds, which have been sold and will be continued to be offered for sale to investors in large amounts in the markets of the country. A statement is given of the amount of deposits by the Secretary of the Treasury with the Federal land banks, for which the banks have issued their certificates of indebtedness bearing interest at 2 per cent per annum. It is averred that on September 30, 1919, Federal land banks owned United States bonds of the par value of \$4,230,805; and the joint-stock land banks owned like bonds of the par value of \$3,287,503 on August 31, 1919; that pursuant to the provisions of the act the Secretary of the Treasury has invested \$8,892,130 of the public funds in the capital stock of the Federal land banks, and that on July 1, 1919, the Secretary of the Treasury on behalf of the United States held \$8,265,809 of the capital stock of the Federal land banks; that pursuant to the provisions of section 32 of the act, as amended, the Secretary of the Treasury has purchased farm loan bonds issued by the Federal land banks of the par value of \$149,775,000; that up to September 30, 1919, bonds have been issued under the act by the Federal land banks to the amount of \$285,600,000, of which about \$135,000,000 are held in the Treasury of the United States, purchased under the authority of the amendment of January 19, 1918; that up to September 30, 1919, 27 joint-stock land banks have been incorporated under the act, having an aggregate capital of \$8,000,000, all of which has been subscribed and \$7,450,000 paid in; that bonds have been issued by joint-stock land banks to the amount of \$41,000,000, which are now in the hands of the public; that the Secretary of the Treasury up to the time of the filing of the bill has not designated any of the Federal land banks nor the joint-stock land banks as depositories of public money, nor except as stated later in the bill has he employed them or any of them as financial agents of the Government, nor have they or any of them performed any duties as depositories of public money, nor have they or any of them accepted any deposits or engaged in any banking business. The bill avers that during the summer of 1918 the Federal land banks at Wichita, St. Paul, and Spokane were designated as financial agents of the Government for making seed-grain loans to farmers in drought-stricken sections, the President having at the request of the Secretary of Agriculture set aside \$5,000,000 for that purpose out of the \$100,000,000 war funds. The three banks mentioned made upward of 15,000 loans of that character, aggregating a sum upward of \$4,500,000, and are now engaged in collecting these loans, all of which are secured by crop liens; that these banks act in that capacity without compensation, receiving only the actual expenses incurred.

Section 27 of the act provides that farm-loan bonds issued under the provisions of the act by Federal land banks or joint-stock land banks shall be a lawful investment for all fiduciary and trust funds and may be accepted as security for all public deposits. The bill avers that the defendant trust company is authorized to buy, invest in, and sell Government, State, and municipal and other bonds, but it can not buy, invest in, or sell any such bonds, papers, stocks, or securities which are not authorized to be issued by a valid law or which are not investment securities, but that nevertheless it is about to invest in farm-loan bonds; that the trust company has been induced to direct its officers to make the investment by reason of its reliance upon the provisions of the farm loan acts, especially sections 21, 26, and 27, by which the farm-loan bonds are declared to be instrumentalities of the Government of the United States, and as such with the income derived therefrom, are declared to be exempt from Federal, State, municipal, and local taxation, and are further declared to be lawful investments for all fiduciary and trust funds. The bill further avers that the acts by which it is attempted to authorize the bonds are wholly illegal, void, and unconstitutional and of no effect because unauthorized by the Constitution of the United States.

The bill prays that the acts of Congress authorizing the creation of the banks, especially sections 26 and 27 thereof, shall be adjudged and decreed to be unconstitutional, void, and of no effect, and that the issuance of the farm-loan bonds, and the taxation exemption feature thereof, shall be adjudged and decreed to be invalid.

The first joint-stock land bank of Chicago and the Federal land bank of Wichita, Kans., were allowed to intervene and became parties defendant to the suit. The Kansas City Title & Trust Co. filed a motion to dismiss in the nature of a general demurrer, and upon hearing the district court entered a decree dismissing the bill, from this decree appeal was taken to this court.

No objection is made to the Federal jurisdiction, either original or appellate, by the parties to this suit, but that question will be first examined. The company is authorized to invest its funds in legal securities only. The attack upon the proposed investment in the bonds described is because of the alleged unconstitutionality of the act of Congress undertaking to organize the banks and authorize the issue of the bonds. No other reason is set forth in the bill as a ground of objection to the proposed investment by the board of directors acting in the company's behalf. As diversity of citizenship is lacking, the jurisdiction of the district court depends upon whether the cause of action set forth arises under the Constitution or laws of the United States. (Judicial Code, sec. 24.)

The general rule is that where it appears from the bill or statement of the plaintiff that the right to relief depends upon the construction or application of the Constitution or laws of the United States, and that such Federal claim is not merely colorable, and rests upon a reasonable foundation, the district court has jurisdiction under this provision.

At an early date, considering the grant of constitutional power to confer jurisdiction upon the Federal courts, Chief Justice Marshall said:

"A case in law or equity consists of the right of the one party, as well as of the other, and may truly be said to arise under the Constitution or a law of the United States whenever its correct decision depends upon the construction of either." (Cohens v. Virginia, 6 Wheat. 264, 379); and again, when "the right or title set up by the party may be defeated by one construction of the Constitution or law of the United States, and sustained by the opposite construction." (Osborn v. Bank of the United States, 9 Wheat. 738, 822. These definitions were quoted and approved in Patton v. Brady, 184 U. S., 608, 611, citing Gold Washing Co. v. Keyes, 96 U. S., 199, 201; Tennessee v. Davis,

100 U. S., 257; *White v. Greenhow*, 114 U. S., 307; *Railroad Co. v. Mississippi*, 102 U. S., 135, 139.)

This characterization of a suit arising under the Constitution or laws of the United States has been followed in many decisions of this and other Federal courts. See *Macon Grocery Co. v. Atlantic Coast Line* (215 U. S., 501, 506, 507); *Shulthis v. McDougal* (225 U. S., 569, sec. 3). The principle was applied in *Brushaber v. Union Pacific Co.* (240 U. S., 1), in which a shareholder filed a bill to enjoin the defendant corporation from complying with the income-tax provisions of the tariff act of October 3, 1913. In that case, while there was diversity of citizenship, a direct appeal to this court was sustained because of the constitutional questions raised in the bill, which had been dismissed by the court below. The repugnancy of the statute to the Constitution of the United States, as well as grounds of equitable jurisdiction, were set forth in the bill, and the right to come here on direct appeal was sustained because of the averments based upon constitutional objections to the act. Reference was made to *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429), where a similar shareholder's right to sue was maintained, and a direct appeal to this court from a decree of the circuit court was held to be authorized.

In the *Brushaber* case the Chief Justice, speaking for the court, said: "The right to prevent the corporation from returning and paying the tax was based upon many averments as to the repugnancy of the statute to the Constitution of the United States, of the peculiar relation of the corporation to the stockholders and their particular interests resulting from many of the administrative provisions of the assailed act, of the confusion, wrong and multiplicity of suits, and the absence of all means of redress which would result if the corporation paid the tax and complied with the act in other respects without protest, as it was alleged it was its intention to do. To put out of the way a question of jurisdiction, we at once say that in view of these averments and the ruling in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429) sustaining the right of a stockholder to sue to restrain a corporation under proper averments from voluntarily paying a tax charged to be unconstitutional on the ground that to permit such a suit did not violate the prohibitions of section 3224, Revised Statutes, against enjoining the enforcement of taxes, we are of opinion that the contention here made that there was no jurisdiction of the cause since to entertain it would violate the provisions of the Revised Statutes referred to is without merit."

"Aside from averments as to citizenship and residence, recitals as to the provisions of the statute and statements as to the business of the corporation contained in the first 10 paragraphs of the bill advanced to sustain jurisdiction, the bill alleged 21 constitutional objections, specified in that number of paragraphs or subdivisions. As all the grounds assert a violation of the Constitution, it follows that in a wide sense they all charge a repugnancy of the statute to the sixteenth amendment under the more immediate sanction of which the statute was adopted."

The jurisdiction of this court is to be determined upon the principles laid down in the cases referred to. In the instant case the averments of the bill show that the directors were proceeding to make the investments in view of the act authorizing the bonds about to be purchased, maintaining that the act authorizing them was constitutional and the bonds valid and desirable investments. The objecting shareholder avers in the bill that the securities were issued under an unconstitutional law, and hence of no validity. It is therefore apparent that the controversy concerns the constitutional validity of an act of Congress which is directly drawn in question. The decision depends upon the determination of this issue.

The general allegations as to the interest of the shareholder, and his right to have an injunction to prevent the purchase of the alleged unconstitutional securities by misapplication of the funds of the corporation, gives jurisdiction under the principles settled in *Pollock v. Trust Co.*, and *Brushaber v. Union Pacific Co.*, supra. We are therefore of the opinion that the district court had jurisdiction under the averments of the bill and that a direct appeal to this court upon constitutional grounds is authorized.

We come to examine the questions presented by the attack upon the constitutionality of the legislation in question. The Federal farm loan act is too lengthy to set out in full. It is entitled:

"An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositories and financial agents for the United States, and for other purposes."

The administration of the act is placed under the direction and control of a Federal Farm Loan Bureau established at the seat of government in the Treasury Department, under the general supervision of the Federal Loan Board, consisting of the Secretary of the Treasury and four members appointed by the President, by and with the advice and consent of the Senate. The United States is divided into 12 districts for the purpose of establishing Federal land banks. Each of the banks must have a subscribed capital of not less than \$750,000, divided into shares of \$5 each, which may be subscribed for by any individual, firm, or corporation, or by the government of any State or of the United States. No dividend shall be paid on the stock owned by the United States, but all other stock shall share in dividend distributions without preference. The Federal Farm Loan Board is to designate five directors who shall temporarily manage the affairs of each Federal land bank, and who shall prepare an organization certificate which, when approved by the Federal Farm Loan Board and filed with the Farm Loan Commissioner, shall open to create the bank a body corporate. The Federal Farm Loan Board is required to open books of subscription for the capital stock of each Federal land bank, and if within 30 days thereafter any part of the minimum capitalization of \$750,000 of any such bank shall remain unsubscribed, it is made the duty of the Secretary of the Treasury to subscribe the balance on behalf of the United States.

The amendment of January 18, 1918, authorizes the Secretary of the Treasury to purchase bonds issued by Federal land banks, and provides that the temporary organization of any such bank shall be continued so long as any farm loan bonds shall be held by the Treasury, and until the subscription to stock in such bank by national farm loan associations shall equal the amount of the stock held by the United States Government. When these conditions are complied with a permanent organization is to take over the management of the bank, consisting of a board of directors composed of nine members, three of whom shall be known as district directors and shall be appointed by the Farm Loan Board, who shall represent the public interest, six of whom to be known as local directors, shall be chosen by and be representative of the national farm loan associations.

Federal land banks are empowered to invest their funds in the purchase of qualified first mortgages on farm lands situated within the

Federal land bank district within which they are organized or acting. Loans on farm mortgages are to be made to cooperative borrowers through the organization of corporations known as national farm loan associations, by persons desiring to borrow money on farm-mortgage security under the terms of the act. Ten or more natural persons who are the owners of or are about to become the owners of farm land qualified as security for mortgage loans, and who desire to borrow money on farm-mortgage security, may unite to form a national farm loan association. The manner of forming these associations and the qualifications for membership are set out in the act.

A loan desired by each such person must be for not more than \$10,000 nor less than \$100, and the aggregate of the desired loans not less than \$20,000. The application for loan must be accompanied by subscriptions to stock of a Federal land bank equal to 5 per cent of the aggregate sum desired on the mortgage loan. Provision is made for appraisal of the land and report to the Federal Farm Loan Board. No persons but borrowers on farm loan mortgages shall be members or shareholders of national farm loan associations.

Shareholders in farm loan associations are made individually responsible for the debts of the association to the extent of the amount of the stock owned by them, respectively, in addition to the amount paid in and represented by their shares.

When any national farm loan association shall desire to secure for any member a loan on first mortgage from the Federal land bank in its district it must subscribe to the capital stock of the Federal land bank to an amount of 5 per cent of such loan, which capital stock shall be held by the Federal land bank as collateral security for the payment of the loan; the association shall be paid any dividends accruing and payable on the capital stock while it is outstanding. Such stock may, in the discretion of the directors and with the approval of the Federal Farm Loan Board, be paid off at par and retired, and shall be so retired upon the full payment of the mortgage loan. In such event the national farm loan association must pay off at par and retire the corresponding shares of its stock which were issued when the land bank stock so retired was issued; but it is further provided that the capital stock of the land bank shall not be reduced to less than 5 per cent of the principal of the outstanding farm loan bonds issued by it. The shares in national farm loan associations shall be of the par value of \$5 each.

At least 25 per cent of that part of the capital of any Federal land bank for which stock is outstanding in the name of National Farm Loan Associations must be held in quick assets. Not less than 5 per cent of such capital must be invested in United States Government bonds.

The loans which Federal land banks may make upon first mortgages on farm lands are provided for in section 12 of the act. By section 13 these banks are empowered, subject to the provisions of the act, to issue and sell farm loan bonds of the kind described in the act and to invest funds in their possession in qualified first mortgages on farm lands, to receive and to deposit in trust with the farm loan registrar, to be held by him as collateral security for farm loan bonds, first mortgages upon farm lands, and, with the approval of the Farm Loan Board, to issue and to sell their bonds secured by the deposit of first mortgages on qualified farm lands as collateral, in conformity with the provisions of section 18 of the act. By the amendment of January 18, 1918, the Secretary of the Treasury was empowered during the years 1918 and 1919 to purchase farm loan bonds issued by Federal land banks to an amount not exceeding \$100,000,000 each year, and any Federal land bank was authorized at any time to repurchase at par and accrued interest, for the purpose of redemption or resale, any of the bonds so purchased from it and held in the United States Treasury.

It is also provided that the bonds of any Federal land bank so purchased and held in the Treasury one year after the termination of the pending war shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed and repurchased by such bank at par and accrued interest. By section 15 it is provided that whenever, after the act shall have been in effect for one year, it shall appear to the Federal Farm Loan Board that national farm loan associations have not been formed and are not likely to be formed in any locality because of peculiar local conditions, the board may, in its discretion, authorize Federal land banks to make loans on farm lands through agents approved by the board on the terms and conditions and subject to the restrictions prescribed in that section.

The act also authorizes the incorporation of joint-stock land banks, with capital provided by private subscription. They are organized by not less than 10 natural persons, and are subject to the requirements of the provisions of section 4 of the act so far as applicable. The board of directors shall consist of not less than five members. Each shareholder shall have the same voting privileges as the holders of shares in national banking associations, and shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such bank to the extent of the amount of stock owned by them at the par value thereof, in addition to the amount paid in and represented by their shares. The joint-stock land bank is authorized to do business when capital stock to the amount of \$250,000 has been subscribed, and one-half paid in cash, the balance remaining subject to call by the board of directors, the charter to be issued by the Federal Farm Loan Board. No bonds shall be issued until the capital stock is entirely paid up. Except as otherwise provided, joint-stock land banks shall have the powers of and be subject to all the restrictions and conditions imposed on Federal land banks by the act, so far as such conditions or restrictions are applicable.

Federal land banks may issue farm loan bonds up to twenty times their capital and surplus. Joint-stock land banks are limited to the issue of farm loan bonds not in excess of fifteen times the amount of their capital and surplus. Joint-stock land banks can only loan on first mortgages upon land in the State where located, or in a State contiguous thereto. No loan on mortgage may be made by any bank at a rate exceeding 6 per cent per annum exclusive of amortization payments. Joint-stock land banks shall in no case charge a rate of interest on farm loans which shall exceed by more than 1 per cent the rate established by the last series of farm loan bonds issued by them, which rate shall not exceed 5 per cent per annum.

Provisions for the issue of farm loan bonds secured by first mortgages on farm lands or United States bonds, as collateral, which must be deposited with the Federal Farm Loan registrar, are made for Federal land banks and joint-stock land banks; in each case the issue is made subject to the approval of the Federal Farm Loan Board. The farm loan mortgages, or United States bonds, which constitute the collateral security for the bonds, must be deposited with the Farm Loan Commissioner.

Section 26 of the act provides as follows:

"That every Federal land bank and every national farm loan association, including the capital and reserve or surplus therein and the income derived therefrom, shall be exempt from Federal, State, municipal,

and local taxation, except taxes upon real estate held, purchased, or taken by said bank or association under the provisions of section 11 and section 13 of this act. First mortgages executed to Federal land banks or to joint-stock land banks and farm loan bonds issued under the provisions of this act shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation.

"Nothing herein shall prevent the shares in any joint-stock land bank from being included in the valuation of the personal property of the owner or holder of such shares in assessing taxes imposed by authority of the State within which the bank is located, but such assessment and taxation shall be in manner and subject to the conditions and limitations contained in section 5219 of the Revised Statutes with reference to the shares of national banking associations.

"Nothing herein shall be construed to exempt the real property of Federal and joint-stock land banks and national farm loan associations from either State, county, or municipal taxes to the same extent according to its value as other real property is taxed."

Since the decision of the great cases of *McCulloch v. Maryland* (4 Wheat., 316) and *Osborn v. Bank* (9 Wheat., 738), it is no longer an open question that Congress may establish banks for national purposes, only a small part of the capital of which is held by the Government, and a majority of the ownership in which is represented by shares of capital stock privately owned and held, the principal business of such banks being private banking conducted with the usual methods of such business. While the express power to create a bank or incorporate one is not found in the Constitution, the court, speaking by Chief Justice Marshall, in *McCulloch v. Maryland*, found authority so to do in the broad general powers conferred by the Constitution upon the Congress to levy and collect taxes, to borrow money, to regulate commerce, to pay the public debts, to declare and conduct war, to raise and support armies, and to provide and maintain a navy, etc. Congress, it was held, had authority to use such means as were deemed appropriate to exercise the great powers of the Government by virtue of Article I, section 8, clause 18 of the Constitution, granting to Congress the right to make all laws necessary and proper to make the grant effectual. In *First National Bank v. Union Trust Co.* (244 U. S., 413, 419), the Chief Justice, speaking for the court, after reviewing *McCulloch v. Maryland* and *Osborn v. Bank*, and considering the power given to Congress to pass laws to make the specific powers granted effectual, said:

"In terms it was pointed out that this broad authority was not stereotyped as of any particular time, but endured, thus furnishing a perpetual and living sanction to the legislative authority within the limits of a just discretion, enabling it to take into consideration the changing wants and demands of society and to adopt provisions appropriate to meet every situation which it was deemed required to be provided for."

That the formation of the bank was required, in the judgment of the Congress for the fiscal operations of the Government, was a principal consideration upon which Chief Justice Marshall rested the authority to create the bank; and for that purpose being an appropriate measure, in the judgment of the Congress, it was held not to be within the authority of the court to question the conclusion reached by the legislative branch of the Government.

Upon the authority of *McCulloch v. Maryland* and *Osborn v. Bank* the national banking system was established, and upon them this court has rested the constitutionality of the legislation establishing such banks. (*Farmers & Mechanics National Bank v. Deering*, 91 U. S. 29, 33, 54.)

Congress has seen fit in section 6 of the act to make both classes of banks, when designated for that purpose by the Secretary of the Treasury, depositaries of public money, except receipts from customs, under regulations to be prescribed by the Secretary of the Treasury, and has authorized their employment as financial agents of the Government, and the banks are required to perform such reasonable duties, as depositaries of public moneys and financial agents as may be required of them. The Secretary of the Treasury shall require of the Federal land banks and the joint-stock land banks, thus designated, satisfactory security, by the deposit of United States bonds or otherwise, for the safekeeping and prompt payment of the public money deposited with them, and for the faithful performance of their duties as the financial agents of the Government.

Section 6 also provides that no Government funds deposited under the provisions of the section shall be invested in mortgage loans or farm loan bonds.

It is said that the power to designate these banks as such depositaries has not been exercised by the Government, and that the Federal land banks have acted as Federal agents only in the case of loans of money for seed purposes made in the summer of 1915, to which we have already referred. But the existence of the power under the Constitution is not determined by the extent of the exercise of the authority conferred under it. Congress declared it necessary to create these fiscal agencies, and to make them authorized depositaries of public money. Its power to do so is no longer open to question.

But, it is urged, the attempt to create these Federal agencies, and to make these banks fiscal agents and public depositaries of the Government, is but a pretext. But nothing is better settled by the decisions of this court than that when Congress acts within the limits of its constitutional authority, it is not the province of the judicial branch of the Government to question its motives. (*Yazoo Bank v. Feno*, 8 Wall., 523, 541; *McCray v. United States*, 195 U. S. 27; *Flint v. Stone-Trimby Co.*, 220 U. S. 107, 147, 153, 156; and cases cited.)

That Congress has seen fit to make of these banks fiscal agencies and depositaries of public moneys, and also to grant to them banking powers of a limited character, in no wise detracts from the authority of Congress to use them for the governmental purposes named, if it sees fit to do so. A bank may be organized with or without the authority to issue currency. It may be authorized to receive deposits in only a limited way. Speaking generally, a bank is a moneyed institution to facilitate the borrowing, lending, and caring for money. But whether technically banks, or not, these organizations may serve the governmental purposes declared by Congress in their creation. Furthermore, these institutions are organized to serve as a market for United States bonds. Not less than 5 per cent of the capital of the Federal land banks, for which stock is outstanding in farm loan associations, is required to be invested in United States bonds. Both kinds of banks are empowered to buy and sell United States bonds.

In *First National Bank v. Trust Company* (244 U. S., supra), this court sustained the power of Congress to enable a national bank to transact business which, by itself considered, might be beyond the power of

Congress to authorize. In that case it was held to be within the authority of Congress to permit national banks to exercise, by permission of the Federal Reserve Board, when not in contravention of local law, the office of trustee, executor, administrator, or registrar of stocks or bonds.

We therefore conclude that the creation of these banks and the grant of authority to them to act for the Government as depositaries of public moneys and purchasers of Government bonds brings them within the creative power of Congress, although they may be intended, in connection with other privileges and duties, to facilitate the making of loans upon farm security at low rates of interest. This does not destroy the validity of these enactments any more than the general banking powers destroyed the authority of Congress to create the United States Bank, or the authority given to national banks to carry on additional activities destroyed the authority of Congress to create these institutions.

In the brief filed upon reargument counsel for the appellant seem to admit the power of Congress to appropriate money for the direct purposes named, and in that brief they say: "Tax exemption is the real issue sought to be settled here." Deciding as we do, that these institutions have been created by Congress within the exercise of its legitimate authority, we think the power to make the securities here involved tax exempt necessarily follows. This principle was settled in *McCulloch v. Maryland* and *Osborn v. Bank*, supra.

That the Federal Government can, if it sees fit to do so, exempt such securities from taxation seems obvious upon the clearest principles. But it is said to be an invasion of State authority to extend the tax exemption so as to restrain the power of the State. Of a similar contention made in *McCulloch v. Maryland* Chief Justice Marshall uttered his often-quoted statement:

"That the power to tax involves the power to destroy; that the power to destroy may defeat and render useless the power to create; that there is a plain repugnance in conferring on one government a power to control the constitutional measures of another, which other, with respect to those very measures, is declared to be supreme over that which exerts the control, are propositions not to be denied." (4 Wheaton, 431.)

The same principle has been recognized in the National Bank cases declaring the power of the States to tax the property and franchises of national banks only to the extent authorized by the laws of Congress. *Owensboro National Bank v. Owensboro* (173 U. S., 604) involved the validity of a franchise tax in Kentucky on national banks. In that case this court declared (pp. 608, 609) that the States were wholly without power to levy any tax directly or indirectly upon national banks, their property, assets, or franchises, except so far as the permissive legislation of Congress allowed such taxation; and the court declared that the right granted to tax the real estate of such banks and the shares in the names of the shareholders constituted the extent of the permission given by Congress, and any tax beyond these was declared to be void.

In *Farmers' Bank v. Minnesota* (232 U. S., 516) this court held that a State may not tax bonds issued by the municipality of a Territory; that to tax such bonds as property in the hands of the holder is, in the last analysis, an imposition upon the right of a municipality to issue them.

The exercise of such taxing power by the States might be so used as to hamper and destroy the exercise of authority conferred by Congress, and this justifies the exemption. If the States can tax these bonds, they may destroy the means provided for obtaining the necessary funds for the future operation of the banks. With the wisdom and policy of this legislation we have nothing to do. Ours is only the function of ascertaining whether Congress, in the creation of the banks, and in exempting these securities from taxation—Federal and State—has acted within the limits of its constitutional authority. For the reasons stated we think the contention of the Government and of the appellees that these banks are constitutionally organized and the securities here involved legally exempted from taxation must be sustained.

It follows that the decree of the district court is affirmed. Mr. Justice Brandeis took no part in the consideration or decision of this case.

A true copy.
Test:

Clerk Supreme Court, United States.

Mr. WINGO. Now I yield to the gentleman from Illinois. If he does not wish to respond, I will reserve the balance of my time, Mr. Speaker, and will yield five minutes to the gentleman from Massachusetts [Mr. PHELAN].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. PHELAN. Mr. Speaker, this bill proposes to do one thing, and one thing only.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. In just one minute.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield there?

Mr. PHELAN. Yes.

Mr. MANN of Illinois. Is the gentleman in favor of the bill?

Mr. PHELAN. Yes, sir.

Mr. MANN of Illinois. Is the gentleman from Arkansas in favor of the bill?

Mr. WINGO. Yes, sir.

Mr. MANN of Illinois. Is everybody else in favor of the bill?

Mr. PHELAN. Yes, sir.

Mr. MANN of Illinois. Then what on earth are we talking about? Why not vote?

Mr. WINGO. Will the gentleman yield there?

Mr. PHELAN. No; I will not yield to anybody.

I will tell the gentleman why I am talking. It is because two or three Members have asked me to talk and explain the bill, and some of the Members wanted to know what the bill was, and I will try to tell them.

When we put this farm loan act through, I, more than anybody else, was responsible for this five-year limitation. This was the situation: The mortgages are the security behind the bonds. The mortgages could be paid at any time within five years after they are due. In a new and untried system in which we had no experience I was not willing that bonds should be put out for a greater period of time than the possible length of the mortgages that were behind them. In other words, I did not want a situation to develop where farm-loan banks would have bonds out for 10 or 15 years and have the mortgages which were behind them paid in less time than that.

The gentleman from Oregon [Mr. HAWLEY] was on the commission and argued as he did here to-night, and argued very well, that the rate would be better in the case of a long-time bond. I agreed with what he then said, and I agree with what he said to-night.

The thing I was afraid of, however, was that a number of new directors in a new system, men who had had no experience in this kind of work, might get the bank tied up in a position where there would be outstanding bonds on which they would have to pay interest, perhaps not sufficient mortgages outstanding and drawing interest with which to pay the bond interest. The European systems have almost uniformly made the length of the period of the mortgages and the minimum period of the bonds the same. The farm-loan system has now been running for some years. The Farm Loan Board inform us that they have bonds maturing frequently, so that they can safely have a longer minimum period. The act originally provided that there could not be a longer minimum period than 5 years. In other words, you could not have a bond that was not callable in 5 years. You could not have a bond outstanding that was callable in 6 or 8 years. Your bonds must all be callable in 5 years. They might, at the option of the bank, remain out for more than 5 years, but the bank must have the right to call them in 5 years. This bill provides that your bonds must be callable in 10 years. They might be callable in 8, 7, 6, or 5 years, but they can not be callable in 11, 12, or 13, or any period of years more than 10. That is all there is to the proposition.

Now, as to the market for the present bonds, it is the simplest matter in the world. It is a question of the kind of bargain that the banks can make. They ought to sell 10-year bonds on better terms than they sell 5-year bonds. They ought to get a little lower rate of interest on 10-year bonds than on 5-year bonds. If that is so as an ordinary proposition, and they can get a better rate of interest on a 10-year bond than they can on a 5-year bond, how is that going to affect the 5-year bonds that are outstanding? They sell the 10-year bond at a little lower rate. That is the only difference. Now, if it happens that these bonds which go out for 10 years sell at the same rate or a little higher rate than the 5-year bonds that are already outstanding, it is because the market is different. So that there is nothing at all to the argument which has been used that they are going to hurt the bonds already outstanding.

Mr. WALSH. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. WALSH. Does the gentleman contend that under this legislation the bonds must be called in 10 years?

Mr. PHELAN. No; they must be callable in 10 years. A bank issues a bond which the bank has the right to call in 10 years.

SEVERAL MEMBERS. Vote! Vote!

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken, and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., March 2, 1921.

Hon. F. H. GILLET,

Speaker House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I desire to tender my resignation as a member on the part of the House on the Joint Committee on Inaugural Ceremonies.

Respectfully,

W. W. RUCKER.

The SPEAKER. The Chair appoints in the place of Mr. RUCKER, Maj. STEDMAN, of North Carolina. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, had agreed to the amendments of the House to the amendments of the Senate Nos. 10, 22, 34, 54, 106, and 113, had insisted

upon its amendments Nos. 18, 23, 104, and 105, and had agreed to the further conference asked by the House, and had ordered that Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. FLETCHER, and Mr. McKELLAR be the conferees on the part of the Senate.

BURIAL OF AN UNKNOWN AMERICAN SOLDIER.

Mr. FISH. Mr. Speaker, I move to suspend the rules and pass House joint resolution 426.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass a joint resolution, which the Clerk will report.

The Clerk read House joint resolution 426, providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed, under regulations to be prescribed by him, to cause to be brought to the United States the body of an American, who was a member of the American Expeditionary Forces who served in Europe, who lost his life during the World War and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va.

Such sum as may be necessary to carry out the provisions of the joint resolution is hereby authorized to be expended by the Secretary of War.

The SPEAKER. Is a second demanded? If not, the question is on suspending the rules and passing the joint resolution.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the joint resolution was passed.

STANDING ROCK INDIAN RESERVATION.

Mr. SINCLAIR. Mr. Speaker, I move to suspend the rules, take House joint resolution 346 from the Speaker's table, and agree to the Senate amendments.

The SPEAKER. The Clerk will read the Senate amendments. The Senate amendments were read.

The SPEAKER. Is a second demanded?

Mr. GARD. I demand a second.

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that a second may be considered as ordered. Is there objection? There was no objection.

Mr. GARD. I made the demand for a second in order that the gentleman might explain the difference between the bill as it passed the House and the Senate amendments.

Mr. SINCLAIR. Mr. Speaker, the only difference between the House bill and the Senate amendments is that they have added another reservation—the Cheyenne Reservation. It permits the extending of the time of payment to the Cheyenne Reservation in addition to the Standing Rock Reservation. The other amendments that are in the bill are to make the language of the bill conform to that added reservation.

The bill simply extends the time of payment one year on account of the crop conditions out in that country for the last year.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SINCLAIR. Yes.

Mr. MANN of Illinois. The House passes this resolution extending the time for the payment of the purchase money on homestead entries in the Standing Rock Indian Reservation.

Mr. SINCLAIR. Yes.

Mr. MANN of Illinois. And the Senate puts in the Cheyenne River Indian Reservation, an entirely different reservation?

Mr. SINCLAIR. It is.

Mr. MANN of Illinois. Here is a case where the House passes a bill extending the time of payment in one reservation, and having got that through some one goes to the Senate and adds an amendment to insert another Indian reservation in connection with it. I have no doubt the gentleman from North Dakota is acting in good faith. Then a motion is made to suspend the rules, nobody has reported on it, and nobody knows anything about it except the gentleman, and I assume that he does.

Mr. SINCLAIR. A report was submitted by Senator Smoot of the Public Lands Committee of the Senate.

Mr. MANN of Illinois. Well, they may know something about it in the Senate, but we know nothing about it in the House.

Mr. SINCLAIR. The Secretary of the Interior has reported on it.

Mr. MANN of Illinois. Then why was it not reported in the House in the proper way? Why pass a bill through the House and then go to the Senate and insert another reservation without anybody knowing anything about it?

Mr. SINCLAIR. I am not responsible for what was done in the Senate.

Mr. MANN of Illinois. The gentleman is responsible for what he is trying to do in the House without any consideration by a committee of the House. It is an entirely different proposition and never has been considered in the House.

Mr. SINCLAIR. The matter has been done several times by the House in respect to other Indian reservations. The time of payment has been extended on several reservations.

Mr. MANN of Illinois. I know, and I have voted for many of them. I voted intelligently, or at least with some information. Here we are asked to vote for one reservation without any knowledge or information at all.

Of course, I know that there have been times when gentlemen have passed bills through the House and have then gone to the Senate and had something added to them, and have had them finally passed without any consideration by the House of what has been added in the Senate. I do not believe the gentleman from North Dakota [Mr. SINCLAIR] is guilty of any bad faith to the House at all, but I do not think it is a very good way to do business.

Mr. SINCLAIR. Mr. Speaker, I would say to the gentleman that the conditions in the Cheyenne Reservation are very similar to the conditions in the Standing Rock Reservation.

Mr. MANN of Illinois. Why did not the gentleman put it in his original proposition?

Mr. SINCLAIR. It was not called to my attention. It is in another State.

Mr. MANN of Illinois. Oh, that is it. Some Senator from another State said "I will let your bill pass if you will add something for my State," and it is now proposed to do that without any knowledge or information on the part of the House in respect to it. Is that the way we are doing business here?

Mr. SINCLAIR. The gentleman is drawing a wrong inference in that. I am here to speak only for my constituency, and my people asked me for this legislation and I brought it before the House. It passed the House in December without a dissenting vote.

Mr. MANN of Illinois. Yes; but the gentleman's present proposition did not. Is there no one in the House who is asking for the Cheyenne Indian Reservation proposition?

Mr. SINCLAIR. The gentleman from Illinois knows more about it than I do.

Mr. MANN of Illinois. I do not know anybody who is asking for it in the House. The gentleman proposes that we agree to a Senate amendment which is inserted and which he says he does not know anything about. If there is anybody in the House who does, I hope he will rise and come to the rescue.

Mr. FOSTER. Do we not know as much about this as we did about the post office in North Carolina?

Mr. SINCLAIR. Yes.

The SPEAKER. The question is on suspending the rules and passing the House joint resolution.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended, and the joint resolution was passed.

BRIDGE ACROSS SAVANNAH RIVER, S. C.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10963) granting the consent of Congress for the construction of a bridge across the Savannah River at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., which I send to the desk and ask to have read.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to J. J. Smith and J. E. McGee, both of Starr, S. C., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation, at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 5, strike out the words "successors and".

Page 1, line 8, strike out the words "at or".

Amend the title.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga."

BELIEVING ELECTORAL VOTE MESSENGERS.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of S. J. Res. 248, relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas certain of the messengers appointed by the electors of certain States failed, through incorrect legal advice, to deliver to the President of the Senate the certified copy of the electoral vote of such States for President and Vice President; and

Whereas certain messengers, learning of this erroneous advice, delivered such certificates after January 24 and before the passage of this act: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That messengers who failed to appear should be relieved and discharged from the \$1,000 fine for such neglect imposed and that the President of the Senate be directed to authorize the payment of such messengers as appeared before January 31, 1921.

The SPEAKER. Is there objection to the present consideration of the joint resolution.

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

Mr. GARD. Mr. Speaker, reserving the right to object, how many of these messengers are asking to be relieved?

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order.

Mr. BLANTON. Then I object, if the gentleman can not explain.

Mr. WOOD of Indiana. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 248, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass Senate joint resolution 248, which the Clerk will report.

The Clerk again reported the joint resolution.

The SPEAKER. Is a second demanded.

Mr. WINGO. Mr. Speaker, I demand a second.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. WINGO. Mr. Speaker, will the gentleman explain how many of these messengers there are, and why it was they did not come down?

Mr. WOOD of Indiana. As I understand it there are three and possibly four. I am going to ask unanimous consent to amend the resolution by making it read "On or before January 31, 1921," so as to include the fourth man.

The old law used to provide that the electoral vote should be delivered here on or before the first Wednesday in February. That law is changed. It now requires that the vote shall be delivered here on or before the fourth Monday in January. The secretaries of states in four States, at least, operating under the old law issued certificates to the messengers providing that they should report and deliver the vote on or before the first Wednesday in February.

Mr. WINGO. What States?

Mr. WOOD of Indiana. The State of Indiana was one, [Laughter.] The State of Utah another, the State of Maryland, I think, the third, and I am just informed by the gentleman from Oregon [Mr. SNYDER] that the State of Oregon is the fourth.

Mr. TILSON. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. TILSON. Is the gentleman's motion now in form so that it will take care of what he wishes to do? As I understand, the gentleman now wishes to amend by unanimous consent before this motion is voted upon. Had he not better secure that consent before we go ahead and consider this bill under suspension of the rules?

Mr. WOOD of Indiana. That is what I am going to ask after this explanation.

Mr. McARTHUR. I want to say to the gentleman this resolution will have to be amended to include January 31, if he is going to take care of the Oregon man who did not get here until that day.

Mr. WOOD of Indiana. On or before January 31.

Mr. McARTHUR. But the resolution says before January.

Mr. WOOD of Indiana. That is the reason why I am asking unanimous consent to say on or before January 31.

Mr. TILSON. Had not the gentleman better do that at this time, because if somebody objects to it he may need to go over it again—

Mr. WOOD of Indiana. I am now asking that the bill may be so amended as to read "on or before January 31, 1921."

Mr. GARD. Reserving the right to object, the gentleman has had the suspension of the rules accorded him for a certain proposition embraced in the bill?

Mr. WOOD of Indiana. Yes.

Mr. GARD. I do not know how it can be amended.

Mr. WOOD of Indiana. Only by unanimous consent.

Mr. WINGO. I think to save time the House will give unanimous consent.

Mr. WOOD of Indiana. In order that there may be no question about this thing I wish to offer just this word of explanation. I know that so far as the messenger from the State of Indiana is concerned that he was absolutely without fault and was acting entirely upon the certificate given him by the secretary of state, and I wish to say this, further: He was an old soldier, fought through the Civil War, spent a year in driving the French out of Mexico, looked upon this as a crowning honor and found it to be a humiliation, and I expect these other gentlemen acting in the same good faith came with the certificate and within the time only to find that they, too, were to be humiliated.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I will.

Mr. MANN of Illinois. Who gave this information? This law has been in force for many years. Has there been any trouble about this before?

Mr. WOOD of Indiana. I do not know whether there has been or not. I know as far as the State of Indiana is concerned that the secretary of state so advised the messenger and issued the certificate accordingly, but the Vice President would not receive the electoral vote when it came here; only upon the condition that a new certificate should be had would he receive it, and the messenger was sent back to Indiana and got back here—

Mr. MANN of Illinois. Most of these messengers this year were Republicans?

Mr. WOOD of Indiana. Yes.

Mr. MANN of Illinois. It is impossible for me to believe they are more ignorant and less intelligent than the messengers four and eight years ago who were able to obey the law.

Mr. WOOD of Indiana. It might have been possible that the gentlemen whose duty it was to receive them were a little bit more critical than they were four years ago.

Mr. MANN of Illinois. Well, that may be. I do not know.

Mr. CHINDBLOM. Perhaps they had an old volume of the Statutes.

Mr. McARTHUR. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. McARTHUR. I want to say in regard to the messenger from my State that he applied to the Secretary of State to know if it would be all right for him to get here on the first Monday in February.

Mr. WOOD of Indiana. Mr. Speaker, I now ask for a suspension of the rules and the passage of Senate resolution 248, with an amendment on page 2, line 3, by adding before the word "before" the words "on or."

The SPEAKER. The gentleman from Indiana asks unanimous consent to amend the resolution in the manner in which the Clerk will report.

Mr. GARD. Mr. Speaker, a parliamentary inquiry. Would it not be better parliamentary practice for the gentleman to submit and have reread the proposition which he now offers under the suspension of the rules, rather than to have the amendment by unanimous consent?

The SPEAKER. The Chair thinks it would save time. The Chair thinks if it were done by unanimous consent it would have to be read over again. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, insert before the word "before" the words "on or."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on suspending the rules and passing the resolution as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the joint resolution was agreed to.

BRIDGE ACROSS SAVANNAH RIVER, NEAR SAVANNAH, GA.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10883) authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.

Be it enacted, etc., That the counties of Beaufort, S. C., and Chatham, Ga., be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near Savannah, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BYRNES of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes; and

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

LATE REPRESENTATIVE CHAMP CLARK.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that, beginning at 8 o'clock p. m., March 3, there may be an hour in which Members shall have opportunity to deliver addresses upon the life, character, and public services of the late CHAMP CLARK, a Representative from the State of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent that to-morrow evening at 8 o'clock an hour be set apart for memorial exercises on the late Hon. CHAMP CLARK. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. Mr. Speaker, I present the following resolutions:

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,

March 2, 1921.

Resolved, That the House has heard with profound sorrow of the death of Hon. CHAMP CLARK, a Representative from the State of Missouri.

Resolved, That a committee of the House be appointed to take order for superintending the funeral of Mr. CLARK in the Hall of the House of Representatives at 10 o'clock and 30 minutes antemeridian, on Saturday, March 5, instant, and that the Members of the present House and of the House elect attend the same.

Resolved, That, as a further mark of respect, the remains of Mr. CLARK be removed from Washington to Bowling Green, Mo., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House communicate these proceedings to the Senate and invite the Vice President, the Vice President elect, the Members of the Senate, and the Members of the Senate elect to attend the funeral in the Hall of the House of Representatives; and that the Senate be invited to appoint a committee to act with the committee of the House.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the President elect and the members designate of his Cabinet, the Chief Justice and the Associate

Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Naval Operations, and the General of the Army to attend the funeral in the Hall of the House of Representatives.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

COMMEMORATION COIN—ADMISSION OF MISSOURI INTO UNION.

Mr. VESTAL. Mr. Speaker, I ask for the immediate consideration of Senate bill 4893.

The SPEAKER. The gentleman from Indiana asks for the present consideration of a bill which the Clerk will report by title.

The Clerk read as follows:

An act (S. 4893) to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, is the resolution similar in terms to that passed at the last Congress in reference to Massachusetts?

Mr. VESTAL. In the same language.

Mr. GARD. And with the same governmental safeguards?

Mr. VESTAL. The same safeguards.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in commemoration of the one hundredth anniversary of the admission of Missouri into the Union there shall be coined at the mints of the United States 50-cent pieces to the number of 250,000, such 50-cent pieces to be of the standard Troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coining, providing for the purchase of material and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. VESTAL, a motion to reconsider the vote by which the bill was passed was laid on the table.

CRADOCK, VA.

Mr. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass Senate bill 4924.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass Senate bill 4924. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4924) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A, located in Norfolk County, State of Virginia, and called Cradock.

Be it enacted, etc., That the exclusive jurisdiction heretofore acquired over the said town site or territory known as United States Housing Corporation Project 150A and called Cradock, and located in the county of Norfolk, State of Virginia, be, and the same is hereby, retroceded to the State of Virginia.

The SPEAKER. Is a second demanded?

Mr. BLACK. I demand a second.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

Mr. MANN of Illinois. Is the gentleman from Texas opposed to the bill?

Mr. BLACK. I am not.

The SPEAKER. The gentleman from Indiana [Mr. ELLIOTT] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, this is a bill to retrocede to the State of Virginia jurisdiction over a tract of land down in Cradock, Norfolk County, Va. During the World War the Housing Corporation built quite an extensive city there and the State of Virginia ceded to the United States Government jurisdiction over this property.

Now, that the war is over, the Government has sold to different individuals all of the houses in that town, and the Government owns at this time the public utility plants that it built there for its own use. There is a town or city without a city government, and it can have no city government until the State

of Virginia acquires jurisdiction over this land, so that the town can be incorporated under the laws of the State of Virginia. When the retrocession is made the town can be incorporated and its citizens can levy taxes upon themselves, and they can buy these public utilities that the Government owns that have been left over from the war.

Mr. MILLER. Mr. Speaker, will the gentleman yield for a question?

Mr. ELLIOTT. Yes.

Mr. MILLER. Suppose this bill passes, and the jurisdiction is conferred on the State of Virginia, what becomes of the title of the United States Government to these utilities?

Mr. ELLIOTT. The titles to the utilities remain with the United States until the United States conveys them over. The United States has already deeded the land. This is governmental jurisdiction that it is ceding back.

The gentleman from Virginia [Mr. HOLLAND] represents the district in which this is located, and is looking after the interests of the people there; and I yield five minutes to him.

Mr. HOLLAND. Mr. Speaker, I do not know that I can add anything to what has already been said by the gentleman from Indiana. So far as the utilities are concerned, I would say that the Government still owns them. Cradock is an orphan child of the Housing Corporation, absolutely without any local government. The Government has disposed of its property to private individuals, but still holds jurisdiction over it.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HOLLAND. Yes.

Mr. BLACK. If the Government has ceded its title to private individuals, why is it necessary to have a government there?

Mr. HOLLAND. Because the United States still has jurisdiction over this property. The State of Virginia ceded jurisdiction to the United States Government.

Mr. BLACK. And it is now necessary, notwithstanding the conveyance of title to these private individuals, that this governmental authority be conferred?

Mr. HOLLAND. The United States district court of Virginia has held that it is essential that jurisdiction shall be ceded back to the State of Virginia before they can organize any local government. There is no legal entity with which any contract for light, or water, or anything else can be made. As soon as jurisdiction is ceded back these people can organize under the State laws.

Mr. BLACK. Mr. Speaker, I do not wish to consume any time on the particular bill in question, but I have a letter from the Postmaster General that I would like to have read in my time.

The SPEAKER. Without objection, the Clerk will read it.

Mr. WALSH. What is it about? Is it about this bill?

Mr. BLACK. It is not about this bill. But I have been asked to make it public. It contains certain information about postal robberies that is pertinent at this time. If anybody objects to it as being out of order, all right.

Mr. KING. Has the gentleman from Oklahoma [Mr. McCLINTIC] objected?

Mr. McCLINTIC. I have not. The gentleman asked to have this read in his own time.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 28, 1921.

HON. EUGENE BLACK,

House of Representatives,

Washington, D. C.

MY DEAR MR. BLACK: I thank you for the opportunity to glance at the newspaper clippings relating to accidents in the air mail service and the robberies of the mails which have recently taken place.

We all recognize that the air mail is a pioneer service and that, in the nature of things, accidents will occur. Some people, with small intellect, never seem able to grasp the point made in the couplet:

"Mother, may I go out to swim;

"Yes, yes, you may, my daughter;

"Hang your clothes on a hickory limb

"But don't go near the water."

Of course, I am indifferent to contemptible insinuations directed against the Postal Establishment by such newspapers as the New York Herald. Every person whose good opinion is worth while knows that base and unconscionable partisanship is the animus of attacks made by such newspapers.

Intelligent people know the causes underlying the crime wave which has recently swept over the country, finding its most acute expressions on Broadway and Fifth Avenue, New York. The unusual number of mail robberies at this period are mere incidents of the nation-wide and, in fact, the world-wide, wave of crime. A condition of great unrest exists everywhere, manifesting itself in disregard of personal and property rights, accompanied by attacks upon the foundation of government itself. How could the safety of the mails fail to be affected by such conditions?

An important factor making for the development of crime in the United States is the disposition on the part of certain judicial officers, notably in New York City, Washington, and Chicago, to impose nominal

punishments when criminals are apprehended. It frequently happens that a day's confinement in jail is given upon a plea of guilty for theft from the mails, and it also often occurs that judges of bolshevistic tendencies, who from motives of policy had theretofore managed to conceal such feelings, find occasion for expressing sympathy for the criminal or make excuses for the crime committed.

A criminal instinct or predisposition is the basic cause of bolshevistic tendencies, and this applies to those in judicial place as well as to others.

Furthermore, the enactment of laws which are unsupported by public opinion, and for this reason unenforceable, provoke frequent and widespread breaches of such laws, thus engendering in the public mind disrespect for all laws and encouraging those who have criminal inclinations to law violation.

Another encouragement to crime commission is the mendacious and salacious policy pursued by a commercialized press. Newspapers, with of course some exceptions, not only spread before helpless readers day after day extended accounts, in utmost detail, of murders, robberies, divorces, and crimes of all sorts, but when law violators are apprehended and arrested they often treat in a maudlin, sentimental way, always characterized by the most yellow sensationalism, the crime committed, the criminal, and the various members of his family. This frequently results in eliciting the well-meaning but misdirected sympathy of a lot of sentimental reformers or self-constituted reform organizations, which have interfered with law enforcement until it has reached a point where criminals no longer fear the penalties of law violation. This, of course, through the power of suggestion, encourages others to like crimes. Such newspapers have not only become a menace to society but are becoming a danger to government itself.

This may not be palatable reading, but it is God's virgin truth, and I have hoped that the time would come when some one would have the courage to speak out in meeting.

The efficiency of the Post Office inspection force is such that no one will question the assertion that a larger percentage of those committing crimes against the United States mails are apprehended than in any other class of crimes committed.

These are the only comments I desire to make upon the clippings.

Again, thanking you, I am,

Sincerely, yours,

A. S. BUNLSON.

During the reading,

Mr. KING. Mr. Speaker, I object to the further reading.

The SPEAKER. The Chair thinks consent has been given.

Mr. KING. It is not addressed to the question before the House.

The SPEAKER. That is very true, but the gentleman should have objected when consent was asked.

Mr. YOUNG of North Dakota. The gentleman said that it would take only five minutes.

SEVERAL MEMBERS. Regular order!

The Clerk resumed and completed the reading of the letter.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

ARMY APPROPRIATIONS.

Mr. ANTHONY. I submit a conference report on the Army appropriation bill (H. R. 15943) for printing under the rule, for the information of the House.

PROPERTY OF OFFICERS AND ENLISTED MEN OF THE ARMY.

Mr. CRAGO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes.

The SPEAKER. The gentleman moves to suspend the rules and pass the bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918 (40 Stat., p. 880), be, and the same hereby is, amended to read as follows:

"SECTION 1. That private property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, including all prescribed articles of equipment and clothing which they are required by law or regulation to own and use in the performance of their duties, and horses and equipment required by law or regulations to be provided by mounted officers, which since the 5th day of April, 1917, has been or shall hereafter be lost, damaged, or destroyed in the military service, shall be replaced, or the damage thereto, or its value recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur without fault or negligence on the part of the owner in any of the following circumstances:

"First. When such private property so lost, damaged, or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

"Second. When it appears that such private property was so lost, damaged, or destroyed in consequence of its owner having given his attention to the saving of human life or property belonging to the United States which was in danger at the same time and under similar circumstances, or while, at the time of such loss, damage, or destruction, the claimant was engaged in authorized military duties in connection therewith.

"Third. When during travel under orders such private property, including the regulating allowance of baggage, transferred by a common carrier, or otherwise transported by the proper agent or agency of the United States Government, is lost, damaged, or destroyed; but replacement, recoupment, or commutation in these circumstances, where the property was or shall be transported by a common carrier, shall

be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from said carrier.

"Fourth. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned on account of lack of transportation or by reason of military emergency requiring its abandonment, or is otherwise lost in the field during campaign.

"Sec. 2. That except as to such property as by law or regulation is required to be possessed and used by officers, enlisted men, and members of the Army Nurse Corps (female), respectively, the liability of the Government under this act shall be limited to damage to or loss of such sums of money or such articles of personal property as the Secretary of War shall decide or declare to be reasonable, useful, necessary, and proper for officers, enlisted men, or members of the Army Nurse Corps (female), respectively, as the case may be, to have in their possession while in quarters, or in the field, engaged in the public service in the line of duty.

"Sec. 3. That the Secretary of War is authorized and directed to examine into, ascertain, and determine the value of such property lost, destroyed, captured, or abandoned as specified in the foregoing paragraphs, or the amount of damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid by disbursing officers of the Army, or such property lost, destroyed, captured, or abandoned, or so damaged as to be unfit for service, may be replaced in kind from Government property on hand when the Secretary of War shall so direct.

"Sec. 4. That the tender of replacement or of commutation or the determination made by the Secretary of War upon a claim presented, as provided for in the foregoing section, shall constitute a final determination of any claim cognizable under this chapter, and such claim shall not thereafter be reopened or considered.

"Sec. 5. That no claim arising under this act shall be considered unless made within two years from the time that it accrued, except that when a claim accrues in time of war, or when war intervenes within two years after its accrual, such claim may be presented within two years after peace is established.

"Sec. 6. That for the payment of claims arising and established under this act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$300,000.

"Sec. 7. That so much of the act of March 28, 1918 (40 Stat., pp. 479, 180), as makes provision for the presentation, adjustment, and payment of claims of officers and enlisted men for loss of private property destroyed in the military service be, and the same hereby is, repealed."

The SPEAKER. Is a second demanded?

Mr. GARD. I demand a second.

Mr. CRAGO. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I make a point of order that a quorum of the House is not present.

The SPEAKER. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will count.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 10 o'clock and 31 minutes p. m.) the House adjourned until Thursday, March 3, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

430. A letter from the Public Printer, transmitting a letter calling attention to schedule of useless files of papers and records of the office of the superintendent of documents to be disposed of; to the Committee on Disposition of Useless Executive Papers.

431. A letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriations, required by the Public Health Service for improvement at quarantine stations at Boston, New York, Philadelphia, and Baltimore (H. Doc. No. 1017); to the Committee on Appropriations and ordered to be printed.

432. A letter from the Assistant Secretary of Labor, transmitting a list of useless papers of the Bureau of Naturalization of the Department of Labor, to be destroyed; to the Committee on Disposition of Useless Executive Papers.

433. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Coosa River, Ga. and Ala. (H. Doc. No. 1018); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 14667) to regulate grain exchanges, reported the same without amendment, accompanied by a re-

port (No. 1401), which said bill and report were referred to the House Calendar.

Mr. BRAND, from the Committee on Banking and Currency, to which was referred the bill (H. R. 15191) to amend section 13 of the Federal reserve act approved December 23, 1913, providing for discount of notes, drafts, and bills of exchange of factors, reported the same with an amendment, accompanied by a report (No. 1402), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 15373) to amend the United States cotton futures act by inserting therein a new section for American Egyptian cotton only, to be known as section 5A, reported the same with an amendment, accompanied by a report (No. 1403), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 478) requesting suspension of speculative short sales, reported the same without amendment, accompanied by a report (No. 1404), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 479) requesting suspension of speculative short sales, reported the same without amendment, accompanied by a report (No. 1405), which said bill and report were referred to the House Calendar.

Mr. DYER, from the Committee on the Judiciary, submitted a report (No. 1407) on the impeachment charges against Kenesaw Mountain Landis, which said report was referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RIDDICK: A bill (H. R. 16161) to amend the United States warehouse act of August 11, 1916, to make it possible for individual farmers to store and finance their grain and market it direct through negotiable warehouse receipts; to the Committee on Agriculture.

By Mr. BRINSON: A bill (H. R. 16162) to enlarge and extend the post-office building at Goldsboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. ROMJUE: A bill (H. R. 16163) to extend marketing of agricultural and live stock products and to establish therefor a bureau in the Department of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER (by request): Memorial from the Legislature of the State of Oregon, favoring H. R. 15854, to promote Maj. Gen. Liggett to the rank of lieutenant general; to the Committee on Military Affairs.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, requesting the enactment of House bill 15854, by which the rank of lieutenant general will be restored to Maj. Gen. Hunter Liggett; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Oregon, urging the enactment by Congress of legislation which will prevent the use of destructive fishing gear in the waters of the Pacific Ocean bordering on the United States and the Dominion of Canada; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under Clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Maryland: A bill (H. R. 16165) for the relief of the Charlestown Sand & Stone Co.; to the Committee on War Claims.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 16166) granting a pension to Hattie Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16167) granting a pension to Elizabeth Yeatts; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 16168) granting a pension to Mary A. Clegg; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 16169) to authorize appropriation of \$250,000, to be paid out of the Treasury by the Secretary of the Treasury to the Central Storage Co., of San Angelo, Tex.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6208. By the SPEAKER (by request): Petition of Waverly Council No. 138, New York City, urging the passage of the

Johnson immigration bill; to the Committee on Immigration and Naturalization.

6209. Also, petition of the National Association of Manufacturers, New York City, protesting against the Federal coal bill and the Federal live-stock commission bill; to the Committee on Agriculture.

6210. By Mr. ACKERMAN: Petition of citizens of Plainfield, N. J., favoring the passage of S. 4554 and H. R. 14469, known as the national park bills; to the Committee on Water Power.

6211. By Mr. BENHAM: Petition of Rev. Conrad Held and sundry citizens of Batesville, Ind., concerning the French army of occupation in Germany; to the Committee on Foreign Affairs.

6212. By Mr. BRIGGS: Petition adopted in mass meeting at Galveston, urging immediate recognition of the Irish republic and requesting the Government to immediately recall loan made to Great Britain during the World War; to the Committee on Foreign Affairs.

6213. By Mr. CRAMTON: Petition of Rev. Rudolph E. W. Riemann, pastor, and the trustees of St. Jakobi Church, Richmond, Mich., protesting against the presence of colored French troops in Germany; to the Committee on Foreign Affairs.

6214. By Mr. HERSEY: Petition of Sacre-Coeur Council, No. 371, l'Union St. Jean-Baptiste d'Amerique, Acadia, Me., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6215. By Mr. KEARNS: Petition of certain citizens of Batavia, Ohio, concerning the French army of occupation in Germany; to the Committee on Military Affairs.

6216. By Mr. LINTHICUM: Petition of the Merchants & Manufacturers' Association, Baltimore, urging appropriation to take care of impending danger from typhus epidemic; to the Committee on Appropriations.

6217. Also, petition of the Holland Manufacturing Co., Baltimore, favoring a tariff for protection of industry against serious foreign competition; to the Committee on Ways and Means.

6218. Also, petition of Mayor William F. Broening, Baltimore, urging emergency appropriation for Baltimore quarantine asked by Public Health; to the Committee on Appropriations.

6219. Also, petition of Mrs. M. L. McCloskey, C. E. Doyle, Mrs. Mary L. Booth, and John P. Donahue, all of Baltimore, protesting against the Smith-Towner bill; to the Committee on Education.

6220. By Mr. MCGLENNON: Petition of members of St. Ann's Roman Catholic Church, of Hoboken, N. J., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6221. By Mr. McLAUGHLIN of Michigan: Petition of members of the Swedish Evangelical Lutheran Lebanon Church, of Whitehall, Mich., protesting against the occupation of German territory by French Negro troops; to the Committee on Foreign Affairs.

6222. By Mr. MOONEY: Petition of the Council of the City of Cleveland, Ohio, asking that the United States Public Health Service locate one of the \$2,500,000 hospitals for disabled ex-service men in that city; to the Committee on Public Buildings and Grounds.

6223. Also, petition of certain citizens of the twentieth district of Ohio, favoring the recognition of the Irish republic and protesting against the deportation of O'Callaghan; to the Committee on Foreign Affairs.

6224. By Mr. MORIN: Petition of numerous citizens of Pittsburgh, Pa., urging an amendment to the Volstead Act that will permit the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

6225. Also, petition of many citizens of Pittsburgh, Pa., protesting against the enactment of legislation providing for severe restrictions regarding work and the enjoyment of innocent pastimes on Sunday; to the Committee on the Judiciary.

6226. By Mr. PAIGE: Petitions of Rochambeau Council, No. 12, l'Union St. Jean Baptiste d'Amerique, Southbridge, Mass.; Dollard des Ormeaux Council, No. 90, l'Union St. Jean Baptiste d'Amerique, Webster, Mass.; Richelleu Council, No. 193, l'Union St. Jean Baptiste d'Amerique, West Warren, Mass.; Brochu Council, No. 62, l'Union St. Jean Baptiste d'Amerique, Southbridge, Mass.; and Marie Antoinette Council, No. 267, l'Union St. Jean Baptiste d'Amerique, Spencer, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6227. By Mr. PATTERSON: Petition of the Salem Monthly Meeting of Friends, Salem, N. J., opposing compulsory military training; to the Committee on Military Affairs.

6228. By Mr. RIDDICK: Petition of residents of Custer County, Mont., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6229. By Mr. ROGERS: Petition of the Centralville Social Club, of Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6230. Also, petition of J. N. Jacques Council, No. 217, l'Union St. Jean-Baptiste d'Amerique, Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6231. By Mr. ROWAN: Petition of the Merchants' Association of New York, requesting funds for effective quarantine improvement in our larger ports; to the Committee on Appropriations.

6232. Also, petition of St. Vincent de Paul Conference of the Church of St. Thomas the Apostle, of New York City, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6233. By Mr. TAGUE: Petition of Arthur A. Shurtleff, in favor of the Esch bill, H. R. 14469, and the Jones bill, S. 4534; to the Committee on the Public Lands.

6234. Also, petition of Henry M. Foote, in favor of Senate bill 2252, paying the State of Massachusetts; to the Committee on War Claims.

6235. Also, petition of the Massachusetts Tuberculosis League, regarding Robinson amendment, transferring Fort Roots, at Little Rock, from the War Department to the Public Health Department; to the Committee on Public Buildings and Grounds.

6236. Also, petition of the Society for the Protection of New Hampshire Forests, of Boston, Mass., concerning appropriation for blister-rust control; to the Committee on Appropriations.

6237. By Mr. TEMPLE: Petition of J. M. Hammer, of Pittsburgh, Pa., editor, box 555, protesting against the importation of glassware into the United States in the production of which child labor enters; to the Committee on Ways and Means.

6238. By Mr. THOMPSON: Petition of citizens of Napoleon, Ohio, protesting against the use by the Republic of France of uncivilized colored troops in the occupied districts of Germany; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, March 3, 1921.

(Legislative day of Wednesday, March 2, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhues, its assistant enrolling clerk, announced that the House had passed the bill (S. 4224) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation project 150A, located in Norfolk County, State of Virginia, and called Craddock.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Hailers Ferry, and between the counties of Anderson, S. C., and Hart, Ga.;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making appropriation to pay the widow of Champ Clark.

The message further announced that the House had passed, with an amendment, the joint resolution (S. J. Res. 248) relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President, in which it requested the concurrence of the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. HALL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Asburat	Glass	Lodge	Shields
Ball	Gooding	McCumber	Simmons
Borah	Gore	McKellar	Smith, Ariz.
Brandegee	Hale	McLean	Smith, Md.
Calder	Harris	McNary	Smith, S. C.
Capper	Harrison	Moses	Smoot
Chamberlain	Heflin	Myers	Spencer
Culberson	Henderson	Nelson	Sterling
Cummins	Jones, N. Mex.	New	Sutherland
Curtis	Jones, Wash.	Overman	Swanson
Dial	Kellogg	Owen	Townsend
Dillingham	Kendrick	Phipps	Trammell
Edge	Kenyon	Pittman	Underwood
Elkins	Keyes	Poindexter	Wadsworth
Fernald	King	Pomerene	Walsh, Mass.
Fletcher	Kirby	Ransdell	Walsh, Mont.
Freelighuysen	Knox	Reed	Warren
Gay	La Follette	Robinson	Watson
Gerry	Leahoot	Sheppard	Willis

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present.

Mr. POINDEXTER. Mr. President, it is about 24 hours until, according to the Constitution of the United States, this session of Congress will end. From the experience that we have had in the attempt to pass the naval appropriation bill during the last four days, it is perfectly evident that it is utterly impossible to enact the bill into law at the present session of Congress. That being the case, I do not feel like assuming the responsibility of holding the time of the Senate to keep the bill under consideration, as a mere mummery of legislation, which can not result in any positive law, thereby preventing the consideration of a great many important and vital measures which are pending in the Senate and ready for senatorial action. I regret very much that already we have interfered with some of those measures. I think during the effort to get consideration of the naval appropriation bill we have caused a delay of three or four hours in the great, vital, national measure of a bridge across the Pee Dee Creek—or something like that—in South Carolina. I do not desire to stand in the way of measures of that kind.

Of course, there are a number of circumstances which have brought about a failure of the naval appropriation bill. The chief of them, I am perfectly frank to say, was the late date at which it was received from the House of Representatives. It was not received from the House of Representatives until February 15. As it came from the House of Representatives, the bill was in such form that, if it had been enacted into law, it would have led to the demoralization of the American Navy and to a paralysis of the great organization which has been undertaken and in progress successfully under the new plan of naval development which has grown out of the preparedness which was forced upon this country by the great European war.

The bill as it came from the House, leaving out of consideration certain fixed charges and considering those items which are appropriated for the maintenance and operation of the fighting force of the Navy, contained an amount approximately double that which was carried by the naval appropriation bill of 1916. Since 1916 the pay of American sailors has been doubled, the cost of rations for the Navy has been increased twofold, the wages of civilian employees are double what they were in 1916, the cost of material for the construction of ships and the other necessary work which enters into the Naval Establishment is twice what it was in 1916, so that if the bill had been passed by the Senate in that form it would have provided only for the maintenance in 1921, with all the military development of the world since 1916, for a 1916 Navy.

The bill as it came from the House contained no appropriation for aircraft. Great Britain is estimating and appropriating in her great aviation establishment for the current year 125,000,000 pounds sterling. The naval bill as it came from the House carried not a dollar for new aircraft or the construction or procurement of new aircraft. All the great naval powers in the world are providing the necessary necessities of naval aviation service, such as ships called airplane carriers, upon which airplanes are carried to the vicinity of the scene of action. The House bill provided nothing whatever for the construction of such ships, although at the present time we have none at all